FEDERAL REGISTER

VOLUME 24 · NUMBER 22

Washington, Saturday, January 31, 1959

Title 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 6—EXCEPTIONS FROM THE COMPETITIVE SERVICE

Small Business Administration

Effective upon publication in the FEDERAL REGISTER, paragraph (t) is added to § 6.328 as set out below.

§ 6.328 Small Business Administration.

• • • • •

(t) Director and Deputy Director, Office of Management and Research Assistance.

(R.S. 1753, sec. 2, 22 Stat. 403, as amended; 5 U.S.C. 631, 633)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] WM. C. HULL,
Executive Assistant.

[F.R. Doc. 59-843; Filed, Jan. 30, 1959; 8:47 a.m.]

PART 37—GROUP LIFE INSURANCE

Exclusions

Paragraph (a)(13) of § 37.2 is amended as set out below.

§ 37.2 Exclusions.

(a) Employees in the following groups shall be excluded from the application of this part:

• • • • •

(13) Retired employees reemployed under conditions not terminating their title to annuities, except such reemployed retired employees serving from August 29, 1954, to January 31, 1959, without a break in service of more than 3 days.

(Sec. 11, 68 Stat. 742, 5 U.S.C. 2100)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] WM. C. HULL,
Executive Assistant.

[F.R. Doc. 59-842; Filed, Jan. 30, 1959; 8:46 a.m.]

CUMULATIVE CODIFICATION GUIDE

At the end of this issue appears a Codification Guide to the parts of the Code of Federal Regulations affected by documents published during January 1959.

Beginning February 4, 1959, a Cumulative Codification Guide will be carried at the end of each daily issue. The Cumulative Guide will begin anew each month. As in the past, the daily Guide will follow the Contents in each issue, and the usual analytical guides to sections will be printed monthly, quarterly, and annually.

Title 7—AGRICULTURE

Subtitle A—Office of the Secretary of Agriculture

PART 5—DETERMINATION OF PARITY PRICES

Parity Index and Index of Prices Received by Farmers

The regulations of the Secretary of Agriculture with respect to the determination of parity prices (21 F.R. 761 as amended by 22 F.R. 693 and 8925 and 23 F.R. 1565) are further amended to provide for the use of a revised index of prices received by farmers and a revised parity index (index of prices paid by farmers, including interest, taxes, and farm wage rates) as the official indices for the computation of parity prices beginning in January 1959.

The revisions in the indices are the result of the introduction of modernized weighting patterns beginning in September 1952. The revised weighting pattern for the index of prices received is based on official estimates of the Department relating to marketings of farm products during the five-year period 1953–57. The revised weighting pattern

(Continued on p. 697)

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FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following official Federal holidays, by the Federal Register Division, National Archives and Records Service, General Services Administration, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U. S. C., ch. 8B), under regulations prescribed by the Administrative Committee of the Federal Register, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington 25, D. C.

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CODIFICATION GUIDE

A numerical list of the parts of the Code of Federal Regulations affected by documents published in this issue. Proposed rules, as opposed to final actions, are identified as such.

CODIFICATION GUIDE—Con.

for the parity index is based on data from the 1955 Farm Expenditure Survey.

Section 5.1 is amended to read as follows:

§ 5.1 Parity index and index of prices received by farmers.

(a) The parity index for the purpose of calculating parity prices after January 1, 1959, according to the formula contained in section 301(a) of the Agricultural Adjustment Act of 1938, as amended by the Agricultural Acts of 1948, 1949, 1954, and 1956 (hereinafter referred to as section 301(a)) shall be the index of prices paid by farmers, interest, taxes, and farm wage rates, as revised January 1959 and published by the Agricultural Marketing Service in the January 30, 1959, and subsequent issues (including supplements) of the monthly report, "Agricultural Prices". For the purpose of calculating transitional parity prices as provided for by section 301(a)(1)(E), the indices of prices paid and of prices paid, including interest and taxes, shall continue to be calculated using the same weights and formula as were utilized for computing parity prices prior to January 1, 1950. The publication of these indices by the Agricultural Marketing Service in the monthly report, "Agricultural Prices", shall be continued.

(b) The measure of the general level of prices received by farmers as provided for in section 301(a)(1)(B)(ii) after January 1, 1959, shall be the index of prices received by farmers as revised January 1959 and published in the January 30, 1959, and subsequent issues of "Agricultural Prices". The simple average of the 120 monthly indices included in the preceding 10 calendar years plus an adjustment to take account of the effect on the index of any adjustment made on average prices of individual commodities as hereinafter specified shall be used in the calculation of the adjusted base prices.

Parity prices heretofore published for periods prior to January 1, 1959 shall not be revised.

(Sec. 301, 52 Stat. 38, as amended; 7 U.S.C. 1301)

Done at Washington, D.C., this 28th day of January 1959.

[SEAL] TRUE D. MORSE, *Acting Secretary.*

[F.R. Doc. 59-859; Filed, Jan. 30, 1959; 8:49 a.m.]

Chapter VIII—Commodity Stabilization Service (Sugar), Department of Agriculture

PART 801—RULES OF PRACTICE AND PROCEDURE GOVERNING PROCEEDINGS TO ALLOT SUGAR QUOTAS, AND TO DETERMINE PROCESSES AND QUALITIES DISTINGUISHING RAW SUGAR AND DIRECT-CONSUMPTION SUGAR

Institution of Proceedings

Basis and purpose. The amendment herein is based on the provisions of the Sugar Act of 1948, as amended (61 Stat. 922, 7 U.S.C. 1100), hereinafter referred to as the "act," and of the Administrative Procedure Act (60 Stat. 237, 5 U.S.C. 1001).

The purpose of this amendment of § 801.4 is to permit the Secretary, in instituting a quota allotment proceeding as provided for in paragraph (a) of § 801.4, to include in the notice of hearing the further notice that at such hearing evidence may be introduced which will enable the Secretary to revise or amend without further notice and hearing any allotment of a quota for the purpose of giving effect to any changes in quota made by the Secretary pursuant to the provisions of section 204(a) of the act.

Notice of the proposed amendment of Part 801 was published on December 31, 1958 (23 F.R. 10562) in accordance with the Administrative Procedure Act (60 Stat. 237, 5 U.S.C. 1001). No data, views or arguments were submitted in connection therewith.

Since the amendment herein pertains to requirements of procedure, it is hereby found that compliance with the 30-day effective date requirement of the Administrative Procedure Act (60 Stat. 238, 5 U.S.C. 1003) is unnecessary and not in the public interest and the amendment contained herein shall be effective upon publication in the FEDERAL REGISTER.

Section 801.4(b) (21 F.R. 4251, 22 F.R. 3699) is hereby amended to read as follows:

(b) In any proceeding instituted pursuant to paragraph (a) of this section, for the allotment of a quota or proration thereof, the notice of hearing issued and the hearing held with respect thereto shall, where the notice of hearing so states, constitute the notice of hearing and the hearing upon which the Secretary may revise or amend the allotment of the quota or proration thereof for the purposes of (1) giving effect to any changes in quota made by the Secretary pursuant to the provisions of section 202(a)(2) or 204(a) of the act, (2) allotting any deficit in the allotment for, any allottee, and (3) substituting revised estimates of data or final actual data for estimates of such data wherever estimates are used in the formulation of the allotment of a quota.

(Sec. 403, 61 Stat. 932; 7 U.S.C. 1153. Interprets or applies sec. 8, 60 Stat. 232, secs. 101, 205; 61 Stat. 922, as amended, 926, as amended; 6 U.S.C. 1007; 7 U.S.C. 1101, 1115)

Done at Washington, D.C., this 27th day of January 1959. Witness my hand and the seal of the Department of Agriculture.

[SEAL] TRUE D. MORSE, *Acting Secretary.*

[F.R. Doc. 59-841; Filed, Jan. 30, 1959; 8:46 a.m.]

Chapter IX—Agricultural Marketing Service (Marketing Agreements and Orders), Department of Agriculture

[Navel Orange Reg. 155]

PART 914—NAVEL ORANGES GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA

Limitation of Handling

§ 914.455 Navel Orange Regulation 155.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 14, as amended (7 CFR Part 914), regulating the handling of navel oranges grown in Arizona and designated part of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.; 68 Stat. 906, 1047), and upon the basis of the recommendation and information submitted by the Navel Orange Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such navel oranges as hereinafter provided will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (60 Stat. 237; 5 U.S.C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee

held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for navel oranges and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such navel oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on January 29, 1959.

(b) *Order.* (1) The respective quantities of navel oranges grown in Arizona and designated part of California which may be handled during the period beginning at 12:01 a.m., P.s.t., February 1, 1959, and ending at 12:01 a.m., P.s.t., February 8, 1959, are hereby fixed as follows:

(i) District 1: 646,800 cartons;

(ii) District 2: 392,700 cartons;

(iii) District 3: Unlimited movement;

(iv) District 4: Unlimited movement.

(2) All navel oranges handled during the period specified in this section are subject also to all applicable size restrictions which are in effect pursuant to this part during such period.

(3) As used in this section, "handled," "District 1," "District 2," "District 3," "District 4," and "carton" have the same meaning as when used in said amended marketing agreement and order.

(Sec. 5, 49 Stat. 853, as amended; 7 U.S.C. 608c)

Dated: January 30, 1959.

[SEAL] FLOYD F. HEDLUND,
Acting Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F.R. Doc. 59-928; Filed, Jan. 30, 1959; 11:44 a.m.]

[Orange Reg. 355]

PART 933—ORANGES, GRAPEFRUIT, TANGERINES, AND TANGELOS GROWN IN FLORIDA

Limitation of Shipments

§ 933.951 Orange Regulation 355.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 33, as amended (7 CFR Part 933), regulating the handling of oranges, grapefruit, tangerines, and tangelos grown in Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and upon the basis of the recommendations of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of oranges, including Temple oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U.S.C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. Shipments of oranges, including Temple oranges, grown in the production area, are presently subject to regulation by grades and sizes, pursuant to the amended marketing agreement and order; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after an open meeting of the Growers Administrative Committee on January 27, 1959, such meeting was held to consider recommendations for regulation, after giving due notice of such meeting, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including the effective time hereof, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter set forth so as to provide for the continued regulation of the handling of oranges, including Temple oranges, and compliance with this section will not require any special preparation on the part of the persons subject thereto which cannot be completed by the effective time of this section.

(b) *Order.* (1) Terms used in the amended marketing agreement and order shall, when used in this section, have the same meaning as is given to the respective term in said amended marketing agreement and order; and terms relating to grade, diameter, standard pack, and standard box, as used in this section shall have the same meaning as is given to the respective term in the amended United States Standards for Florida Oranges and Tangelos (§§ 51.1140 to 51.1186 of this title; 22 F.R. 6676).

(2) During the period beginning at 12:01 a.m., e.s.t., February 2, 1959, and ending at 12:01 a.m., e.s.t., February 16, 1959, no handler shall ship between the production area and any point outside thereof in the continental United States, Canada, or Mexico:

(i) Any oranges, including Temple oranges, grown in the production area, which do not grade at least U.S. No. 1 Bronze;

(ii) Any oranges, except Temple oranges, grown in the production area, which are of a size smaller than $2^{4}/_{16}$ inches in diameter, except that a tolerance of 10 percent, by count, of oranges smaller than such minimum diameter shall be permitted, which tolerance shall be applied in accordance with the provisions for the application of tolerances, specified in the United States Standards for Florida Oranges and Tangelos (§§ 51.1140 to 51.1186 of this title): *Provided*, That in determining the percentage of oranges in any lot which are smaller than $2^{4}/_{16}$ inches in diameter, such percentage shall be based only on those oranges in such lot which are of a size $2^{1}/_{16}$ inches in diameter and smaller; or

(iii) Any Temple oranges, grown in the production area, which are of a size smaller than $2^{3}/_{16}$ inches in diameter, except that a tolerance of 10 percent, by count, of Temple oranges smaller than such minimum diameter shall be permitted, which tolerance shall be applied in accordance with the provisions for the application of tolerances, specified in the United States Standards for Florida Oranges and Tangelos (§§ 51.1140 to 51.1186 of this title).

(Sec. 5, 49 Stat. 753, as amended; 7 U.S.C. 608c)

Dated: January 29, 1959.

[SEAL] FLOYD F. HEDLUND,
Acting Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F.R. Doc. 59-885; Filed, Jan. 30, 1959; 8:51 a.m.]

[Grapefruit Reg. 302]

PART 933—ORANGES, GRAPEFRUIT, TANGERINES, AND TANGELOS GROWN IN FLORIDA

Limitation of Shipments

§ 933.953 Grapefruit Regulation 302.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 33, as amended (7 CFR Part 933), regulating the handling of oranges, grapefruit, tangerines, and tangelos grown in Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and upon the basis of the recommendations of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of grapefruit, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER

(60 Stat. 237; 5 U.S.C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions of this section effective as hereinafter set forth. Shipments of all grapefruit, grown in the production area, are presently subject to regulation by grades and sizes, pursuant to the amended marketing agreement and order; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after an open meeting of the Growers Administrative Committee on January 27, 1959, such meeting was held to consider recommendations for regulation, after giving due notice of such meeting, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including the effective time hereof, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such grapefruit; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter set forth so as to provide for the continued regulation of the handling of grapefruit, and compliance with this section will not require any special preparation on the part of the persons subject thereto which cannot be completed by the effective time of this section.

(b) *Order.* (1) Terms used in the amended marketing agreement and order shall, when used in this section have the same meaning as is given to the respective term in said amended marketing agreement and order; and terms relating to grade, diameter, standard pack, and standard box, as used in this section, shall have the same meaning as is given to the respective term in the United States Standards for Florida Grapefruit (§§ 51.750 to 51.790 of this title); and the term "mature" shall have the same meaning as set forth in section 601.16 Florida Statutes, Chapters 26492 and 28090, known as the Florida Citrus Code of 1949, as supplemented by section 601.17 (Chapters 25149 and 28090) and also by section 601.18, as amended June 2, 1955 (Chapter 29760).

(2) During the period beginning at 12:01 a.m., e.s.t., February 2, 1959, and ending at 12:01 a.m., e.s.t., February 16, 1959, no handler shall ship between the production area and any point outside thereof in the continental United States, Canada, or Mexico:

(i) Any grapefruit, grown in the production area, which are not mature and do not grade at least U.S. No. 1 Bronze;

(ii) Any seeded grapefruit, grown in the production area, which are of a size smaller than $3^{1}\frac{5}{16}$ inches in diameter, measured midway at a right angle to a straight line running from the stem to the blossom end of the fruit, except that a tolerance of 10 percent, by count, of seeded grapefruit smaller than such minimum size shall be permitted, which tolerance shall be applied in accordance with the provisions for the application of tolerances, specified in the United States Standards for Florida Grapefruit (§§ 51.750 to 51.790 of this title); or

(iii) Any seedless grapefruit, grown in the production area, which are smaller than $3^{9}\frac{5}{16}$ inches in diameter, measured midway at a right angle to a straight line running from the stem to the blossom end of the fruit, except that a tolerance of 10 percent, by count, of seedless grapefruit smaller than such minimum size shall be permitted, which tolerance shall be applied in accordance with the provisions for the application of tolerances, specified in said United States Standards for Florida Grapefruit.

(Sec. 5, 49 Stat. 753, as amended; 7 U.S.C. 608c)

Dated January 29, 1959.

[SEAL] FLOYD F. HEDLUND,
Acting Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F.R. Doc. 59-884; Filed, Jan. 30, 1959; 8:51 a.m.]

[Tangelo Reg. 14]

PART 933—ORANGES, GRAPEFRUIT, TANGERINES, AND TANGELOS GROWN IN FLORIDA

Limitation of Shipments

§ 933.957 Tangelo Regulation 14.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 33, as amended (7 CFR Part 933), regulating the handling of oranges, grapefruit, tangerines, and tangelos grown in Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and upon the basis of the recommendations of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of tangelos, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U.S.C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions of this section effective as hereinafter set forth. Shipments of tangelos, grown in the production area, are presently subject to regulation by grades and sizes, pursuant to the amended marketing agreement and order; the recommendation and supporting information for regulation durin the period specified in this section were promptly submitted to the Department after an open meeting of the Growers Administrative Committee on January 27, 1959. Such meeting was held to consider recommendations for regulation, after giving due notice of such meeting, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including the effective time of this section, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such tangelos; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter set forth so as to provide for the continued regulation of the handling of tangelos, and compliance with this section will not require any special preparation on the part of the persons subject thereto which cannot be completed by the effective time of this section.

(b) *Order.* (1) Terms used in the amended marketing agreement and order shall, when used in this section, have the same meaning as is given to the respective term in said amended marketing agreement and order; and terms relating to grade, diameter, standard pack, and standard box, as used in this section, shall have the same meaning as is given to the respective term in the amended United States Standards for Florida Oranges and Tangelos (§§ 51.1140 to 51.1186 of this title; 22 F.R. 6676).

(2) During the period beginning at 12:01 a.m., e.s.t., February 2, 1959, and ending at 12:01 a.m., e.s.t., February 16, 1959, no handler shall ship between the production area and any point outside thereof in the continental United States, Canada, or Mexico:

(i) Any tangelos, grown in the production area, which do not grade at least U.S. No. 1 Bronze; or

(ii) Any tangelos, grown in the production area, which are of a size smaller than $2\frac{5}{16}$ inches in diameter, except that a tolerance of 10 percent, by count, of tangelos smaller than such minimum diameter shall be permitted, which tolerance shall be applied in accordance with the provisions for the application of tolerances specified in the United States Standards for Florida Oranges and Tangelos (§§ 51.1140 to 51.1186 of this title).

(Sec. 5, 49 Stat. 753, as amended; 7 U.S.C. 608c)

Dated: January 29, 1959.

[SEAL] FLOYD F. HEDLUND,
Acting Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F.R. Doc. 59-886; Filed, Jan. 30, 1959; 8:51 a.m.]

PART 942—MILK IN NEW ORLEANS, LA., MARKETING AREA

Order Suspending Certain Provisions

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and of the order regulating the handling of milk in the New Orleans, Louisiana, marketing area (7 CFR Part 942), it is hereby found and determined that:

(a) The following provisions appearing in § 942.51(a)(3) no longer tend to effectuate the declared policy of the Act:

−24 or more	+49
−21 or −22	+43
−18 or −19	+37
−15 or −16	+31
−12 or −13	+25
− 9 or −10	+19
+ 9 or 10	−19
+12 or 13	−25
+15 or 16	−31
+18 or 19	−37
+21 or 22	−43
+24 or more	−49

(b) By notice of proposed rule making issued January 21, 1959 (24 F.R. 530), interested parties were advised that this action was under consideration and were given opportunity to submit written views, data and arguments with respect thereto.

(c) Thirty days notice of effective date hereof is impractical, unnecessary, and contrary to the public interest in that:

(1) This suspension order does not require of persons affected substantial or extensive preparation prior to the effective date.

(2) This suspension order is necessary to reflect current marketing conditions and to maintain orderly marketing conditions in the marketing area.

(3) This suspension will alleviate monthly Class I price adjustments while data are accumulated with respect to supply and demand conditions preparatory to review of Class I prices through a public hearing and the issuance of such amendment as may be found necessary.

Therefore, good cause exists for making this order effective February 1, 1959.

It is therefore ordered, That the aforesaid provisions of the order are hereby suspended effective February 1, 1959.

(Sec. 5, 49 Stat. 753, as amended; 7 U.S.C. 608c)

Issued at Washington, D.C., this 28th day of January 1959.

[SEAL] CLARENCE L. MILLER,
Assistant Secretary.

[F.R. Doc. 59-858; Filed, Jan. 30, 1959; 8:45 a.m.]

[Lemon Reg. 776]

PART 953—LEMONS GROWN IN CALIFORNIA AND ARIZONA

Limitation of Handling

§ 953.883 *Lemon Regulation 776.*

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 53, as amended (7 CFR Part 953; 23 F.R. 9053), regulating the handling of lemons grown in California and Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.; 68 Stat. 906, 1047), and upon the basis of the recommendation and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such lemons as hereinafter provided will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (60 Stat. 237; 5 U.S.C. 1001 et seq.) because the time intervening between the date when information upon which this section is based become available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The Committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for lemons and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such lemons; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on January 28, 1959.

(b) *Order.* (1) The respective quantities of lemons grown in California and Arizona which may be handled during the period beginning at 12:01 a.m., P.s.t., February 1, 1959, and ending at 12:01 a.m., P.s.t., February 8, 1959, are hereby fixed as follows:

(i) District 1: 27,900 cartons;

(ii) District 2: 134,850 cartons;

(iii) District 3: Unlimited movement.

(2) As used in this section, "handled," "District 1," "District 2," "District 3," and "carton" have the same meaning as when used in the said amended marketing agreement and order.

(Sec. 5, 49 Stat. 753, as amended; 7 U.S.C. 608c)

Dated: January 29, 1959.

[SEAL] FLOYD F. HEDLUND,
Acting Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F.R. Doc. 59-911; Filed, Jan. , 1959; 9:14 a.m.]

PART 1008—MILK IN THE INLAND EMPIRE MARKETING AREA

Order Suspending Certain Provisions

Pursuant to the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), hereinafter referred to as the "act", and of the order, as amended (7 CFR Part 1008), regulating the handling of milk in the Inland Empire marketing area, hereinafter referred to as the "order", it is hereby found that:

(a) The provision, § 1008.51(d), which provides for a supply-demand adjuster applicable to the Class I price does not tend, under present circumstances, to effectuate the declared policy of the act.

(b) Notice of proposed rule-making, public procedure thereon and 30-day prior notice to the effective date hereof are found to be impracticable, unnecessary, and contrary to the public interest in that (1) the issuance of this suspension order is necessary to reflect current marketing conditions and facilitate, promote, and maintain the orderly marketing of milk produced for the said marketing area; (2) unless this suspension order is effective February 1, 1959, there will occur a substantial drop in the Class I price; (3) such a drop in price would not reflect market supply-demand relationships over the longer term and would seriously threaten the maintenance of an adequate supply of milk for the Inland Empire market; (4) this suspension order has been requested by associations representing more than two-thirds of the producers whose milk is subject to pricing by the order, pending a review at a public hearing on their proposal to amend the provision in light of present marketing conditions, and (5) this suspension order does not require of persons affected substantial or extensive preparation prior to its effective date.

It is therefore ordered, That § 1008.51(d) be and hereby is suspended in its entirety for an indefinite period beginning February 1, 1959.

(Sec. 5, 49 Stat. 753, as amended; 7 U.S.C. 608c)

Done at Washington, D.C., this 29th day of January 1959.

[SEAL] CLARENCE L. MILLER,
Assistant Secretary.

[F.R. Doc. 59-824; Filed, Jan. 30, 1959; 8:45 a.m.]

Title 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board—Federal Aviation Agency

SUBCHAPTER B—ECONOMIC REGULATIONS

[Reg. ER-250]

PART 241—UNIFORM SYSTEM OF ACCOUNTS AND REPORTS FOR CERTIFICATED AIR CARRIERS

Definition of Minimum Fuel Load

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 28th day of January 1959.

It has been brought to the Board's attention that air carriers subject to the reporting requirements of Part 241 of the Board's Economic Regulations have not followed a uniform method of computing available capacity. The lack of uniformity results from the practice of certain carriers operating with a greater reserve of fuel than is required under the pertinent Civil Air Regulations. Loading of fuel beyond the Civil Air Regulations minimum has been dictated in some instances by company minimum fuel operating (safety) policies, and in other instances by economic considerations. Where the aircraft lift capacity is reduced by excess fuel load utilized for purely economic reasons, the resulting measurement of capacity available for sale, as reflected in the reports filed with the Board, becomes misleading.

For purposes of uniformity in computing aircraft capacity statistics and to meet the definition of available load as the maximum salable load, the Board believes that consideration should be given only to fuel carried for safety operating needs. Minimum fuel reserves greater than those dictated by the Civil Air Regulations are properly included in such computation only if related to safety operating needs. Conversely, fuel loads carried solely for economic reasons in the absence of payload should not be considered as reducing the available capacity. Procedures for determining minimum fuel loads are stated in the carriers' procedural manuals, and it should be feasible to exclude extra fuel loaded at any particular point for economy or other non-safety reasons. Accordingly, the proposed rule would redefine minimum fuel load as "the minimum amount of fuel with which an aircraft may be dispatched in accordance with the safety operating needs of the air carrier."

The effect of this change would be to permit the use of minimum fuel operating requirements of the individual carriers in computing available load, even though they would exceed those minimums prescribed by the Civil Air Regulations. However, in reporting the available capacity statistics to the Board, carriers would be required under the proposed rule to certify that the capacity reported as available for sale has not been reduced by fuel loaded for non-safety reasons.

It is also noted that available capacity has been reduced by the weight of ballast added on certain flights to compensate for the absence of a revenue load. While this method is not believed to be so widespread a practice as to justify a clarifying amendment to Part 241, the Board wishes to point out that removable ballast, as distinguished from fixed ballast which is considered as part of the aircraft empty weight, should not serve to reduce available capacity.

Since this amendment relaxes the existing regulation and will not subject any person to any burden, the Board finds that notice and public procedure thereon are unnecessary and not required by the public interest.

In consideration of the foregoing, the Civil Aeronautics Board hereby amends Part 241, of the Economic Regulations (14 CFR Part 241), effective March 4, 1959, as follows:

1. By amending the definition of "Load, minimum fuel" in § 241.03 to read as follows:

Load, minimum fuel. The minimum quantity of fuel with which an aircraft may be dispatched in accordance with the safety operating needs of the air carrier.

2. By amending the instructions in § 241.25 for preparing Schedule T-3 Quarterly Statement of Aircraft Operating Statistics by adding the following language to paragraph (g):

The measurement of available aircraft capacity may reflect company minimum fuel requirements in lieu of the requirements under Civil Air Regulations, provided that the use of such company fuel requirements is indicated in the above statement and that the statement contain certification by a responsible company official that said fuel loads are not in excess of company safety requirements.

(Sec. 204(a), 72 Stat. 743; 49 U.S.C. 1324. Interpret or apply sec. 407; 72 Stat. 766; 49 U.S.C. 1377)

By the Civil Aeronautics Board.

[SEAL] MABEL MCCART, *Acting Secretary.*

[F.R. Doc. 59 861; Filed, Jan. 30, 1959; 8:49 a.m.]

Chapter II—Federal Aviation Agency

[Amdt. 2]

PART 600—DESIGNATION OF CIVIL AIRWAYS

Alterations

The civil airway alterations adopted herein to become effective when indicated have been coordinated with civil aviation organizations, the Army, the Navy and the Air Force through the Air Coordinating Committee. These alterations largely result from necessary changes in navigational aids, such as: commissioning, decommissioning, realignment, etc., which are required to be effective on the date indicated in order to promote safety. For these reasons, compliance with the notice, procedures and effective date provisions of section 4 of the Administrative Procedure Act would be impracticable and contrary to public interest and is not required.

Part 600 is amended as follows:

§ 600.14 [Amendment]

1. Section 600.14 *Green civil airway No. 4 (Los Angeles, Calif., to Philadelphia, Pa.)* is amended by changing the name of the facility "Terre Haute, Ind., radio range station;" to read: "Terre Haute, Ind., RBN;".

§ 600.232 [Revocation]

2. Section 600.232 *Red civil airway No. 32 (Austin, Tex., to Houston, Tex.)* is revoked.

§ 600.235 [Revocation]

3. Section 600.235 *Red civil airway No. 35 (Pueblo, Colo., to St. Joseph, Mo.)* is revoked.

4. Section 600.630 is amended to read:

§ 600.630 Blue civil airway No. 30 (Big Spring, Tex., to Pueblo, Colo.).

From the Big Spring, Tex., RR to the INT of the northwest course of the Big Spring RR and the south course of the Lubbock, Tex., RR. From the Lubbock, Tex., RR via the INT of the Lubbock RR north course and the Amarillo, Tex., RR south course; Amarillo, Tex., RR; Dalhart, Tex., RBN to the Pueblo, Colo., RR.

§ 600.634 [Amendment]

5. Section 600.634 *Blue civil airway No. 34 (Terre Haute, Ind., to Peoria, Ill.)* is amended by changing the name of the facility "Terre Haute, Ind., radio range station" to read: "Terre Haute, Ind., RBN".

§ 600.6004 [Amendment]

6. Section 600.6004 *VOR civil airway No. 4 (Seattle, Wash., to Washington, D.C.)* is amended by changing the portion which reads: "Elkins, W. Va., omnirange station, including a south alternate via the intersection of the Charleston omnirange 081° True and the Elkins omnirange 227° True radials;" to read: "Elkins, W. Va., VOR, including a south alternate via the INT of the Charleston VOR 083° and the Elkins VOR 228° radials;".

§ 600.6010 [Amendment]

7. Section 600.6010 *VOR civil airway No. 10 (Pueblo, Colo., to New York, N.Y.)* is amended by changing the portion which reads: "Hutchinson, Kans., omnirange station, including a south alternate and also a north alternate via the intersection of the Dodge City, Kans., omnirange 060° True and the Hutchinson omnirange 296° True radials;" to read: "Hutchinson, Kans., VOR, including a south alternate via the INT of the Dodge City VOR 099° radial with the Hutchinson VOR direct radial to the Liberal, Kans., VOR and also a north alternate via the INT of the Dodge City VOR 060° and the Hutchinson VOR 296° radials.".

§ 600.6011 [Amendment]

8. Section 600.6011 *VOR civil airway No. 11 (Memphis, Tenn., to Detroit, Mich.)* is amended by changing "Scotland VOR 011° to read "Scotland VOR 017°".

§ 600.6012 [Amendment]

9. Section 600.6012 *VOR civil airway No. 12 (Santa Barbara, Calif., to Philadelphia, Pa.)* is amended by changing the portion which reads: "Lewis, Ind., omnirange station; Shelbyville, Ind., VOR; Richmond, Ind., VOR;" to read: "Lewis, Ind., VOR; Shelbyville, Ind., VOR, including a south alternate via the INT of the Lewis VOR 087° and the Shelbyville VOR 235° radials; Richmond, Ind., VOR;".

§ 600.6014 [Amendment]

10. Section 600.6014 *VOR civil airway No. 14 (Roswell, N. Mex., to Boston, Mass.)* is amended by changing the portion which reads: "Terre Haute, Ind., omnirange station; Indianapolis, Ind., omnirange station, including a south alternate via the intersection of the Terre Haute omnirange 082° True and the Indianapolis omnirange 230° True radials; intersection of the Indianapolis omnirange 054° True and the Findlay omnirange 250° True radials;" to read: "Terre Haute, Ind., VOR; Indianapolis, Ind., VOR, including a north alternate via the INT of the Terre Haute VOR 052° and the Indianapolis VOR 273° radials and also a south alternate via the Terre Haute VOR 082° and the Indianapolis VOR 230° radials; INT of the Indianapolis VOR 054° and the Findlay VOR 250° radials;".

§ 600.6016 [Amendment]

11. Section 600.6016 *VOR civil airway No. 16 (Los Angeles, Calif., to Boston, Mass.)* is amended by changing the portion which reads: "Tuscon, Ariz., omnirange station, including a south alternate from the Phoenix omnirange station to the Tucson omnirange station via the Casa Grande, Ariz., omnirange station and the intersection of the Casa Grande omnirange 158° and the Tucson omnirange 273° radials; Cochise, Ariz., omnirange station, including a south alternate via the intersection of the Tucson omnirange 121° True and the Cochise omnirange 257° True radials;" to read: "Tucson, Ariz., VOR; Cochise, Ariz., VOR, including a south alternate via the INT of the Tucson VOR 121° and the Cochise VOR 257° radials;" and by changing all after "Knoxville, Tenn., omnirange station;" to read: "Knoxville, Tenn., VOR; Tri-City, Tenn., VOR, including a south alternate via the INT of the Knoxville VOR 090° and the Tri-City VOR 235° radials; Pulaski, Va., VOR, including a north alternate via the INT of the Knoxville VOR 054° and the Pulaski VOR 260° radials; Hollins, Va., VOR; point of INT of the Montebello, Va., VOR 180° with the Gordonsville VOR 247° radials; Gordonsville, Va., VOR, including a north alternate from the Hollins VOR to the Gordonsville VOR via the point of INT of the Hollins VOR 035° radial with the Montebello VOR direct radial to the Bluefield, W. Va., VOR and the Montebello, Va., VOR; Andrews, Md., RR via the Gordonsville VOR 056° radial; a point at Lat. 38°51'00" north, Long. 76°30'00" west, bearing 062° True from the Andrews, Md., RR, Kenton, Del., VOR via the Kenton VOR 244° radial; Coyle, N.J., VOR; point of INT of the Colts Neck, N.J., VOR 103° and the Riverhead VOR 218° radials; Riverhead, N.Y., VOR; Norwich, Conn., VOR; to the Boston, Mass., VOR."

§ 600.6017 [Amendment]

12. Section 600.6017 *VOR civil airway No. 17 (Laredo, Tex., to Goodland, Kans.)* is amended by changing all before "San Antonio, Tex., omnirange station;" to read: "From the Laredo, Tex., VOR via the Cotulla, Tex., VOR; INT of the Cotulla VOR 041° and the San Antonio VOR 183° radials; San Antonio, Tex., VOR;" and by changing all after "Oklahoma City, Okla., omnirange station;" to read: "Oklahoma City, Okla., VOR; Gage, Okla., VOR, including a west alternate via the INT of the Oklahoma City VOR 282° and the Gage VOR 133° radials; Garden City, Kans., VOR, including a west alternate from the Gage VOR to the Garden City VOR via the Liberal, Kans., VOR; to the Goodland, Kans., VOR, including a west alternate."

§ 600.6035 [Amendment]

13. Section 600.6035 *VOR civil airway No. 35 (Key West, Fla., to Syracuse, N.Y.)* is amended by changing all after: "Asheville, N.C., omnirange station;" to read: "Asheville, N.C., VOR; Tri-City, Tenn., VOR, including an east alternate via the INT of the Asheville VOR 022° and the Tri-City VOR 146° radials and also a west alternate via the Asheville VOR 329° and the Tri-City VOR 204° radials; point of INT of the Pulaski VOR 285° and the Tri-City VOR 012° radials; Charleston, W. Va., VOR; Parkersburg, W. Va., VOR; INT of the Parkersburg VOR 060° and the Pittsburgh VOR 223° radials; to the Pittsburgh, Pa., VOR. From the Johnstown, Pa., VOR via the Tyrone, Pa., VOR; Philipsburg, Pa., VOR; Stonyfork, Pa., VOR; Elmira, N.Y., VOR; Watkins Glen, N.Y., VOR; to the Syracuse, N.Y., VOR."

14. Section 600.6050 is amended to read:

§ 600.6050 VOR civil airway No. 50 (St. Joseph, Mo., to Dayton, Ohio).

From the St. Joseph, Mo., VOR via the Kirksville, Mo., VOR; Quincy, Ill., VOR, including a south alternate via the INT of the Kirksville VOR 121° and the Quincy VOF 253° radials; Springfield, Ill., VOR; Decatur, Ill., VOR; Terre Haute, Ind., VOR; Indianapolis, Ind., VOR; INT of the Indianapolis VOR 084° and the Dayton VOR 261° radials; Dayton, Ohio, VOR, including a north alternate from the Indianapolis VOR to the Dayton VOR via the point of INT of the Indianapolis VOR 069° and the Fort Wayne, Ind., VOR 187° radials.

§ 600.6066 [Amendment]

15. Section 600.6066 *VOR civil airway No. 66 (San Diego, Calif., to Charlotte, N.C.)* is amended by changing the portion between "G la Bend Ariz., omnirange station;" and "Douglas, Ariz., omnirange station;" to read: "Gila Bend, Ariz., VOR; Tucson, Ariz. VOR; Douglas, Ariz., VOR,".

§ 600.6087 [Revocation]

16. Section 600.6087 *VOR civil airway No. 87 (Gila Bend., Ariz., to Hassayampa, Ariz.)* is revoked.

17. Section 600.6087 is added to read:

§ 600.6087 VOR civil airway No. 87 (San Francisco, Calif., to Williams, Calif.).

From the San Francisco, Calif., TVOR via the INT of the San Francisco TVOR 356° and the Napa VOR 186° radials; Napa, Calif., VOR; to the Williams, Calif., VOR.

§ 600.6094 [Amendment]

18. Section 600.6094 is amended by changing the caption to read: "§ 600.6094 *VOR civil airway No. 94 (Hassayampa, Ariz., to Monroe, La.)*" and by changing all before "Deming, N. Mex., VOR;" to read: "From the Hassayampa, Ariz., VOR via the Gila Bend, Ariz., VOR; Casa Grande, Ariz., VOR; San Simon, Ariz., VOR; Deming, N. Mex., VOR;".

19. Section 600.6103 is amended to read:

§ 600.6103 VOR civil airway No. 103 (Greensboro, N.C., to Windsor, Ont.).

From the Greensboro, N.C., VOR via the point of INT of the South Boston, Va., VOR 261° and the Greensboro VOR 360° radials; Hollins, Va., VOR; Elkins, W. Va., VOR; Clarksburg, W. Va., VOR; Wheeling, W. Va., VOR; Navarre, Ohio, VOR; Cleveland, Ohio, VOR; point of INT of the Carleton, Mich., VOR 097° and the Windsor VOR 121° radials; to the Windsor, Ont., VOR.

20. Section 600.6105 is amended to read:

§ 600.6105 VOR civil airway No. 105 (Tucson, Ariz., to Reno, Nev.).

From the Tucson, Ariz., VOR via the INT of the Tucson VOR 273° and the Casa Grande VOR 158° radials, Casa Grande, Ariz., VOR; Phoenix, Ariz., VOR; Prescott, Ariz., VOR, including an east alternate via the INT of the Phoenix VOR 004° and the Prescott VOR 135° radials; Las Vegas, Nev., VOR, including an east alternate from the Prescott VOR to the Las Vegas VOR via the Drake, Ariz., VOR, the Peach Springs, Ariz., VOR and the INT of the Peach Springs VOR 293° and the Las Vegas VOR 106° radials; the INT of the Las Vegas VOR 266° and the Beatty VOR 136° radials; Beatty, Nev., VOR; Coaldale, Nev., VOR; to the Reno, Nev., VOR. The portion of this airway which lies within the geographic limits of, and between the designated altitudes of, the Fallon, Nev., Restricted Area (R-268) is excluded during this restricted area's time of designation.

§ 600.6106 [Amendment]

21. Section 600.6106 *VOR civil airway No. 106 (Charleston, W. Va., to Kennebunk, Maine)* is amended by changing all before "Clarksburg, W. Va., omnirange station;" to read: "From the Charleston, W. Va., VOR via the point of INT of the Charleston VOR 051° and

the Elkins, W. Va., VOR 264° radials; Clarksburg, W. Va., VOR;".

§ 600.6123 [Amendment]

22. Section 600.6123 *VOR civil airway No. 123 (Washington, D.C., to Westfield, Mass.)* is amended by changing all before "Woodstown, N.J., omnirange station;" to read: "From the Washington, D.C., TVOR via the Baltimore, Md., VOR; INT of the Baltimore VOR 035° and the New Castle VOR 257° radials; New Castle, Del., VOR; Woodstown, N.J., VOR;".

23. Section 600.6124 is added to read:

§ 600.6124 VOR civil airway No. 124 (Terre Haute, Ind., to Shelbyville, Ind.).

From the Terre Haute, Ind., VOR via the INT of the Terre Haute VOR 097° and the Shelbyville VOR 253° radials; to the Shelbyville, Ind., VOR.

§ 600.6140 [Amendment]

24. Section 600.6140 *VOR civil airway No. 140 (Amarillo, Tex., to New York, N.Y.)* is amended by changing all after "Casanova, Va., VOR;" to read: "Casanova, Va., VOR; the point of INT of the Front Royal VOR 112° and the Washington TVOR 245° radials; Washington, D.C., TVOR; Baltimore, Md., VOR; INT of the Baltimore VOR 035° and the New Castle VOR 257° radials; New Castle, Del., VOR; Woodstown, N.J., VOR; point of INT of the Woodstown VOR 106° and the Dover, Del., direct radial to the Coyle VOR; Coyle, N.J., VOR; to the Idlewild, N.Y., VOR. The portions of this airway which lie more than 3 miles either side of the centerline between the Coyle, N.J., VOR and the point of INT of the Coyle VOR 031° and the Colts Neck, N.J., VOR 073° radials are excluded. The portions of this airway which lie within the geographic limits of, and between the designated altitudes of, the Washington Prohibited Area (P-56) and the Aberdeen Restricted Area (R-54) are excluded during these areas' times of designation."

25. Section 600.6155 is amended to read:

§ 600.6155 VOR civil airway No. 155 (Augusta, Ga., to Washington, D.C.).

From the Augusta, Ga., VOR via the Chesterfield, S.C., VOR; point of INT of the Raleigh VOR 220° and the Florence, S.C., VOR 008° radials; Raleigh, N.C., VOR; Lawrenceville, Va., VOR; INT of the Lawrenceville VOR direct radial to the Richmond, Va., RR with the Flat Rock VOR 171° radial; Flat Rock, Va., VOR; Gordonsville, Va., VOR; to the Casanova, Va., VOR. The portion of this airway which lies within the geographic limits of, and between the designated altitudes of, the Camp Pickett Restricted Area (R-44) is excluded during this restricted area's time of designation.

26 Section 600.6156 is amended to read.

§ 600.6156 VOR civil airway No. 156 (Elkins, W. Va., to Richmond, Va.).

From the Elkins, W. Va., VOR via the Gordonsville, Va., VOR, to the Richmond, Va., VOR

§ 600.6191 [Amendment]

27. Section 600.6191 *VOR civil airway No. 191 (Memphis, Tenn., to Milwaukee, Wis.)* is amended by changing the portion which reads: "Troy, Ill., VOR; Roberts, Ill., VOR;" to read: "Troy, Ill., VOR; Decatur, Ill., VOR; Roberts, Ill., VOR;".

28. Section 600.6234 is amended to read:

§ 600.6234 VOR civil airway No. 234 (Anton Chico, N. Mex., to Hutchinson, Kans.).

From the Anton Chico, N. Mex., VOR via the INT of the Anton Chico VOR 067° and the Dalhart VOR 243° radials; Dalhart, Tex., VOR; Liberal, Kans., VOR; to the Hutchinson, Kans., VOR.

29. Section 600.6239 is amended to read:

§ 600.6239 VOR civil airway No. 239 (Wildwood, N.J., to Boothwyn, Pa.).

From the point of INT of the Coyle, N.J., VOR 203° and the Woodstown VOR 154° radials via the Woodstown, N.J., VOR; to the point of INT of the West Chester, Pa., VOR 120° radial and the Philadelphia, Pa., International Airport ILS localizer 256° course.

30. Section 600.6258 is amended to read:

§ 600.6258 VOR civil airway No. 258 (Charleston, W. Va., to Penhook, Va.).

From the Charleston, W. Va., VOR via the Beckley, W. Va., VOR; point of INT of the Pulaski, Va., VOR 009° radial with the Bluefield, W. Va., VOR direct radial to the Montebello, Va., VOR; Hollins, Va., VOR; to the point of INT of the Greensboro, N.C., VOR direct radial to the Montebello, Va., VOR with the South Boston, Va., VOR 298° radial.

31. Section 600.6260 is amended to read:

§ 600.6260 VOR civil airway No. 260 (Charleston, W. Va., to Richmond, Va.).

From the Charleston, W. Va., VOR via the Rainelle, W. Va., VOR; Hollins, Va., VOR; Lynchburg, Va., VOR; Flat Rock, Va., VOR; to the Richmond, Va., VOR.

32. Section 600.6271 is added to read:

§ 600.6271 VOR civil airway No. 271 (Kenton, Del., to West Chester, Pa.).

From the Kenton, Del., VOR via the New Castle, Del., VOR; to the West Chester, Pa., VOR.

33. Section 600.6426 is amended to read:

§ 600.6426 VOR civil airway No. 426 (St. Louis, Mo., to Nakomis, Ill.).

From the St. Louis, Mo., VOR to the point of INT of the St. Louis VOR 026° radial with the Troy, Ill., VOR direct radial to the Roberts, Ill., VOR.

34. Section 600.6429 is amended to read:

§ 600.6429 VOR civil airway No. 429 (Decatur, Ill., to Joliet, Ill.).

From the Decatur, Ill., VOR via the Champaign, Ill., VOR; Roberts, Ill., VOR; to the Joliet, Ill., VOR.

35. Section 600.6433 is added to read:

§ 600.6133 VOR civil airway No. 433 (New Castle, Del., to Newark, N.J.).

From the New Castle, Del., VOR via the Yardley, Pa., VOR; to the Newark, N.J., Airport ILS localizer OM.

36. Section 600.6436 is added to read:

§ 600.6136 VOR civil airway No. 436 (Kenai, Alaska, to Talkeetna, Alaska).

From the Kenai, Alaska, RR via the Anchorage, Alaska, VOR to the point of INT of the Anchorage VOR 347° radial with the Skwentna, Alaska, RR northeast course.

37. Section 600.6438 is added to read:

§ 600.6138 VOR civil airway No. 438 (Skilak, Alaska, to Talkeetna, Alaska).

From the point of INT of the Kenai, Alaska, RR southeast course with the Anchorage VOR 199° radial via the Anchorage, Alaska, VOR to the Talkeetna, Alaska, RBN.

38. Section 600.6440 is added to read:

§ 600.6440 VOR civil airway No. 440 (Whittier, Alaska, to Skwentna, Alaska).

From the point of INT of the Hinchinbrook, Alaska, RR northwest course with the Anchorage VOR 118° radial via the Anchorage, Alaska, VOR; to the Skwentna, Alaska, RR.

§ 600.6614 [Amendment]

39. Section 600.6614 *VOR civil airway No. 1514 (San Francisco, Calif., to New York, N.Y.)* is amended by changing the portion which reads: "to the Hanksville, Utah, omnirange station. From the Pueblo, Colo., omnirange station via the Lamar, Colo., omnirange station;" to read: "Hanksville, Utah, VOR; Gunnison, Colo., VOR; Pueblo, Colo., VOR; Lamar, Colo., VOR;".

40. Section 600.6616 is amended to read:

§ 600.6616 VOR civil airway No. 1516 (San Francisco, Calif., to Washington, D.C.).

From the point of INT of the Oakland VOR 217° and the Salinas, Calif., VOR 319° radials via the Oakland, Calif., VOR; Modesto, Calif., VOR; INT of the Modesto VOR 117° and the Fresno VOR 323° radials, to the Fresno, Calif., VOR. From the Goffs, Calif., VOR via the Peach Springs, Ariz., VOR; Tuba City, Ariz., VOR; Farmington, N. Mex., VOR; Alamosa, Colo., VOR, Tobe, Colo., VOR; Liberal, Kans., VOR; INT of the Liberal VOR 090° and the Ponca City VOR 280° radials; Ponca City, Okla., VOR, INT of the Ponca City VOR 076° and the Springfield VOR 261° radials; Springfield, Mo., VOR; Farmington, Mo., VOR, Evansville, Ind., VOR, INT of the Evansville VOR 080° and the Louisville VOR 269° radials; Louisville Ky., VOR, Falmouth, Ky., VOR York Ky. VOR; Henderson, W. Va., VOR, Elkins, W. Va.,

VOR: Front Royal, Va., VOR; INT of the Front Royal VOR 112° and the Washington TVOR 245° radials; to the Washington, D.C., TVOR.

§ 600.6620 [Amendment]

41. Section 600.6620 *VOR civil airway No. 1520 (Los Angeles, Calif., to Washington, D.C.)* is amended by changing the portion which reads: "Pulaski, Va., omnirange station; Montebello, Va., omnirange station; Gordonsville, Va., omnirange station;" to read: "Pulaski, Va., VOR; Hollins, Va., VOR; point of INT of the Montebello, Va., VOR 180° with the Gordonsville VOR 247° radials; Gordonsville, Va., VOR;".

(Sec. 313(a) of the Federal Aviation Act of August 23, 1958, 72 Stat. 752 (Pub. Law 85-726). Interpret or apply sec. 307; 72 Stat. 749-750).

This amendment shall become effective 0001 e.s.t. February 12, 1959.

Issued in Washington, D.C., on January 26, 1959

E. R. QUESADA,
Administrator.

[F.R. Doc. 59-831; Filed, Jan. 30, 1959; 8.45 a.m.]

[Amdt. 2]

PART 601—DESIGNATION OF THE CONTINENTAL CONTROL AREA, CONTROL AREAS, CONTROL ZONES, REPORTING POINTS, AND POSITIVE CONTROL ROUTE SEGMENTS

Alterations

The control area, control zone and reporting point alterations adopted herein to become effective when indicated have been coordinated with civil aviation organizations, the Army, the Navy and the Air Force through the Air Coordinating Committee. These alterations largely result from necessary changes in navigational aids, such as: commissioning, decommissioning, realignment, etc., which are required to be effective on the date indicated in order to promote safety. For these reasons, compliance with the notice, procedures and effective date provisions of section 4 of the Administrative Procedure Act would be impracticable and contrary to public interest and is not required.

Part 601 is amended as follows:

§ 601.232 [Revocation]

1 Section 601.232 *Red civil airway No. 32 control areas (Austin, Tex., to Houston, Tex.)* is revoked.

§ 601.235 [Revocation]

2 Section 601.235 *Red civil airway No. 35 control areas (Pueblo, Colo., to St. Joseph, Mo.)* is revoked.

§ 601.630 [Amendment]

3. Section 601.630 is amended by changing the caption to read: "*Blue civil airway No. 30 control areas (Big Spring, Tex., to Pueblo, Colo.)*."

§ 601.1041 [Amendment]

4. Section 601.1041 *Control area extension (Boise, Idaho)* is amended by adding the following portion to present control area extension: "and the airspace northwest of the Boise VOR within 5 miles either side of the Boise VOR 291° radial extending from the VOR to a point 67 miles northwest."

5. Section 601.1136 is amended to read:

§ 601.1136 Control area extension (San Juan, P.R.).

Within a radius of 100 nautical miles of the Isla Grande Airport, San Juan, P.R. The portions of this control area extension which lie within the geographic limits of, and between the designated altitudes of, all restricted areas are excluded during times of designation of the restricted areas, and the portions which lie within the geographic limits of, and between the established altitudes of, all warning areas are excluded during the times of use of the warning areas.

§ 601.1306 [Amendment]

6. Section 601.1306 *Control area extension (Mountain Home, Idaho)* is amended by deleting the words which read: "excluding the portion which overlaps restricted area (R-254)." and by adding the following in lieu thereof: "including the airspace within 5 miles either side of the Mountain Home TVOR 208° radial extending from the TVOR to a point 61 miles southwest, and the airspace within 5 miles either side of the Mountain Home TVOR 178° radial extending from the TVOR to its INT with the Twin Falls, Idaho, VOR 269° radial thence within 5 miles either side of the Twin Falls VOR 269° radial to the Twin Falls VOR. The portion of this control area extension which lies within the geographic limits of, and between the designated altitudes of, the Sailor Creek Restricted Area (R-254) is excluded during the restricted area's time of designation."

§ 601.1323 [Amendment]

7 Section 601.1323 *Control area extension (Dallas, Tex.) (Dallas-Houston-Austin area)* is amended by changing the words which read: "bounded on the southwest by Red civil airway No 32." to read: "bounded on the southwest by VOR civil airway No. 180."

§ 601.1384 [Amendment]

8. Section 601.1384 *Control area extension (Hopkinsville, Ky.)* is amended by changing the portion which reads: "excluding the portion which overlaps Campbell Restricted Area (R-63)." to read: "excluding the portions which lie within the geographic limits of, and between the designated altitudes of, the Fort Campbell Restricted Areas (R-63) and (R-63-A) during these restricted areas' times of designation."

9 Section 601.1398 is amended to read:

§ 601.1398 Control area extension (Anchorage, Alaska).

The airspace within a 25-mile radius of the Anchorage International Airport excluding the portion in the south quadrant of the Anchorage RR between Amber civil airway No. 1 and Red civil airway No. 40; the airspace southwest of Anchorage bounded on the southeast by Red civil airway No. 40, on the south by Red civil airway No. 103 and on the west and northwest by Green civil airway No. 8; the airspace north of Anchorage bounded on the southwest by VOR civil airway No. 440, on the northwest by Blue civil airway No. 32 and on the east by Green civil airway No. 8 and Blue civil airway No. 26. The portion of this control area extension which lies within the geographic limits of, and between the designated altitudes of, the Eagle River Restricted Area (R-348) is excluded during the restricted area's time of designation.

10. Section 601.1409 is amended to read:

§ 601.1409 Control area extension (Huntsville, Ala.).

The airspace within a 30-mile radius of the Huntsville, Ala., VOR. The portion of this control area extension which lies within the geographic limits of the Redstone Arsenal Restricted Area (R-112) shall be used only after obtaining prior FAA air traffic control approval.

11. Section 601.1449 is added to read:

§ 601.1449 Control area extension (Lometa, Tex.).

The airspace lying 6 miles north of and 10 miles south of and parallel to the Lometa VOR 276° radial extending from the VOR to a point 30 miles west.

§ 601.2058 [Revocation]

12. Section 601.2058 *La Junta, Colo., control zone* is revoked.

13. Section 601.2125 is amended to read:

§ 601.2125 Terre Haute, Ind., control zone.

Within a 5-mile radius of Hulman Field, Terre Haute, Ind., within 2 miles either side of the Terre Haute VOR 002° radial extending from the 5-mile radius zone to a point 10 miles north of the VOR, and within 2 miles either side of the extended centerline of the Hulman Field northeast-southwest runway extending from the 5-mile radius zone to a point 12 miles northeast of the Terre Haute RBN.

14. Section 601.2147 is amended to read:

§ 601.2147 Waterloo, Iowa, control zone.

Within a 5-mile radius of the Waterloo Municipal Airport, within 2 miles either side of the 78°, 120°, 200°, 238°, 314° and 356° radials of the Waterloo VOR extending from the VOR to points 12 miles east, southeast, south, southwest, northwest and north of the VOR, and within 2 miles either side of a 308° bearing from the Waterloo RBN extending to a point 12 miles northwest of the RBN.

15 Section 601.2196 is amended to read

§ 601.2196 Wilmington, Del., control zone.

Within a 5-mile radius of the New Castle County Airport, Wilmington, Del., within 2 miles either side of the New Castle RR south course extending from the RR to a point 10 miles south, and within 2 miles either side of a 235° bearing extending from the New Castle VOR to a point 10 miles southwest of the VOR.

16. Section 601.2249 is amended to read:

§ 601.2249 Corpus Christi, Tex., control zone.

Within a 3-mile radius of Cliff Maus Airport, within 2 miles either side of the northwest course of the Corpus Christi RR extending from the RR to the Odem FM, and within 2 miles either side of the Corpus Christi VOR 178° and 358° radials extending from the 3-mile radius zone to a point 10 miles north of the VOR.

17. Section 601.2327 is amended to read:

§ 601.2327 Baton Rouge, La., control zone.

Within a 5-mile radius of Ryan Airport and within a 3-mile radius of Downtown Airport, Baton Rouge, La., within 2 miles either side of the Baton Rouge RR northwest course extending from the RR to a point 10 miles northwest, within 2 miles either side of a 313°–133° True track through the Baton Rouge ILS OM compass locator extending from the Ryan Airport control zone to points 10 miles northwest and 19 miles southeast of the ILS OM compass locator, and within 2 miles either side of the Baton Rouge VOR 071° and 251° radials extending from the Ryan Airport control zone to a point 10 miles southwest of the VOR.

§ 601.2364 [Amendment]

18. Section 601.2364 *Hopkinsville, Ky., control zone* is amended by changing the words which read: "excluding the portions which overlap Campbell Restricted Area (R-63)." to read: "excluding the portions which lie within the geographic limits of, and between the designated altitudes of, the Fort Campbell Restricted Areas (R-63) and (R-63-A) during these restricted areas' times of designation."

§ 601.4014 [Amendment]

19. Section 601.4014 *Green civil airway No. 4 (Los Angeles, Calif., to Philadelphia, Pa.)* is amended by changing the reporting point which reads: "Terre Haute, Ind., radio range station;" to read: "Terre Haute, Ind., RBN;"

§ 601.4232 [Revocation]

20. Section 601.4232 *Red civil airway No. 32 (Austin, Tex., to Houston, Tex.)* is revoked.

§ 601.4235 [Revocation]

21. Section 601.4235 *Red civil airway No. 35 (Pueblo, Colo., to St. Joseph, Mo.)* is revoked.

22. Section 601.4259 is amended to read:

§ 601.4259 Red civil airway No. 59 (Garden City, Kans., to Oklahoma City, Okla.).

Garden City, Kans., RR.

23. Section 601.4630 is amended to read:

§ 601.4630 Blue civil airway No. 30 (Big Spring, Tex., to Pueblo, Colo.).

Dalhart, Tex., RBN.

24. Section 601.4685 is amended to read:

§ 601.4685 Blue civil airway No. 85 (Hutchinson, Kans., to Wichita, Kans.).

Hutchinson, Kans., RR.

§ 601.5001 [Amendment]

25. Section 601.5001 *Other reporting points* is amended by adding the following compulsory reporting point: San Juan, P.R.: San Juan, RBN.

26. Section 601.6066 is amended to read:

§ 601.6066 VOR civil airway No. 66 control areas (San Diego, Calif., to Charlotte, N.C.).

All of VOR civil airway No. 66 including a north alternate.

§ 601.6087 [Revocation]

27. Section 601.6087 *VOR civil airway No. 87 control areas (Gila Bend, Ariz., to Hassayampa, Ariz.)* is revoked.

28. Section 601.6087 is added to read:

§ 601.6087 VOR civil airway No. 87 control areas (San Francisco, Calif., to Williams, Calif.).

All of VOR civil airway No. 87.

29. Section 601.6094 is amended to read:

§ 601.6094 VOR civil airway No. 94 control areas (Hassayampa, Ariz., to Monroe, La.).

All of VOR civil airway No. 94.

30. Section 601.6105 is amended to read:

§ 601.6105 VOR civil airway No. 105 control areas (Tucson, Ariz., to Reno, Nev.).

All of VOR civil airway No. 105 including east alternates.

31. Section 601.6124 is added to read:

§ 601.6124 VOR civil airway No. 124 control areas (Terre Haute, Ind., to Shelbyville, Ind.).

All of VOR civil airway No. 124.

32. Section 601.6234 is amended to read:

§ 601.6234 VOR civil airway No. 234 control areas (Anton Chico, N. Mex., to Hutchinson, Kans.).

All of VOR civil airway No. 234.

33. Section 601.6239 is amended to read:

§ 601.6239 VOR civil airway No. 239 control areas (Wildwood, N.J., to Boothwyn, Pa.).

All of VOR civil airway No. 239.

34. Section 601.6258 is amended to read:

§ 601.6258 VOR civil airway No. 258 control areas (Charleston, W. Va., to Penhook, Va.).

All of VOR civil airway No. 258.

35. Section 601.6271 is added to read:

§ 601.6271 VOR civil airway No. 271 control areas (Kenton, Del., to West Chester, Md.).

All of VOR civil airway No. 271.

36. Section 601.6426 is amended to read:

§ 601.6426 VOR civil airway No. 426 control areas (St. Louis, Mo., to Nakomis, Ill.).

All of VOR civil airway No. 426.

37. Section 601.6429 is amended to read:

§ 601.6429 VOR civil airway No. 429 control areas (Decatur, Ill., to Joliet, Ill.).

All of VOR civil airway No. 429.

38. Section 601.6433 is added to read:

§ 601.6433 VOR civil airway No. 433 control areas (New Castle, Del., to Newark, N.J.).

All of VOR civil airway No. 433.

39. Section 601.6436 is added to read:

§ 601.6436 VOR civil airway No. 436 control areas (Kenai, Alaska, to Talkeetna, Alaska).

All of VOR civil airway No. 436.

40. Section 601.6438 is added to read:

§ 601.6438 VOR civil airway No. 438 control areas (Skilak, Alaska, to Talkeetna, Alaska).

All of VOR civil airway No. 438.

41. Section 601.6440 is added to read:

§ 601.6440 VOR civil airway No. 440 control areas (Whittier, Alaska, to Skwentna, Alaska).

All of VOR civil airway No. 440.

§ 601.7001 [Amendment]

42. Section 601.7001 *VOR domestic reporting points* is amended by adding the following reporting points:

Anchorage, Alaska, VOR.
Decatur, Ill., VOR
Liberal, Kans., VOR.
Ramey AFB, P.R., VOR.
San Juan, P.R., VOR.
Beluga INT: The INT of the Anchorage, Alaska, VOR 347° T radial and the Skwentna, Alaska, RR southeast course.
Brownson INT: The INT of the Ramey AFB, P.R., VOR 013° T and the San Juan, P.R., VOR 296° T radials
Iowa INT: The INT of the Ramey AFB, P.R., VOR 149° T and the San Juan, P.R., VOR 226° T radials
Ohio INT: The INT of the Ramey AFB, P.R., VOR 013° T and the San Juan, P.R., VOR 333° T radials.
Peters Creek INT: The INT of the Anchorage, Alaska, VOR 347° T radial and the Skwentna, Alaska, RR northeast course.
Sheppards INT: The INT of the Gordonsville, Va., VOR 207° T and the Flat Rock, Va., VOR 257° T radials
Skilak INT: The INT of the Anchorage, Alaska, VOR 199° T radial and the Kenai, Alaska, RR southeast course.
Vermont INT: The INT of the Ramey AFB, P.R., VOR 027° T and the San Juan, P.R., VOR 351° T radials.

Whittier INT: The INT of the Anchorage, Alaska, VOR 118° T radial and the Hinchinbrook, Alaska, RR northwest course.

Willow INT: The INT of the Anchorage, Alaska, VOR 004° T radial and the Skwentna, Alaska, RR southeast course.

by changing the following reporting point to read:

Norris INT: The INT of the West Chester, Pa., VOR 253° T and the Lancaster, Pa., VOR, 197° T radials.

and by revoking the following reporting points:

Corbin, Ky., VAR.

Franklin INT: The INT of the Gardner, Mass., VOR 132° T and the Boston, Mass., VOR 223° T radials.

(Sec. 313(a) of the Federal Aviation Act of August 23, 1958, 72 Stat. 752 (Pub. Law 85-726). Interpret or apply sec. 307; 72 Stat. 749-750)

This amendment shall become effective 0001 e.s.t. February 12, 1959.

Issued in Washington, D.C., on January 26, 1959.

E. R. QUESADA,
Administrator.

[F.R. Doc. 59-832; Filed, Jan. 30, 1959; 8:45 a.m.]

Title 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket 6997]

PART 13—DIGEST OF CEASE AND DESIST ORDERS

Renberg's, Inc., and George Renberg

Subpart—*Advertising falsely or misleadingly:* § 13.155 *Prices:* Exaggerated as regular and customary; percentage savings. Subpart—*Misrepresenting oneself and goods*—Prices: § 13.1805 *Exaggerated as regular and customary.* Subpart—*Neglecting, unfairly, or deceptively, to make material disclosure:* § 13.1852 *Formal regulatory and statutory requirements:* Fur Products Labeling Act.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; sec. 8, 65 Stat. 179, 15 U.S.C. 45, 69f.) [Cease and desist order, Renberg's, Inc., et al., Tulsa, Okla., Docket 6997, December 24, 1958]

In the Matter of Renberg's, Inc., a Corporation and George Renberg, Individually and as an Officer of Said Corporation

This proceeding was heard by a hearing examiner on the complaint of the Commission charging furriers in Tulsa, Okla., with violating the Fur Products Labeling Act by newspaper advertising which falsely represented prices of fur products as reduced from regular prices which were in fact fictitious, and represented percentage reductions from usual prices without maintaining adequate records for such savings claims.

Based on an agreement for a consent order the hearing examiner made his initial decision and order to cease and desist which became on December 24 the decision of the Commission.

The order to cease and desist is as follows:

It is ordered, That respondents Renberg's Inc., a corporation, and its officers and George Renberg, individually and as an officer of said corporation, and respondents' representatives, agents and employees, directly or through any corporate or other device, in connection with the introduction into commerce, or the sale, advertising, offering for sale, transportation or distribution of fur products in commerce, or in connection with the sale, advertising, offering for sale, transportation or distribution of fur products which have been made in whole or in part of fur which has been shipped and received in commerce, as "commerce", "fur" and "fur product" are defined in the Fur Products Labeling Act, do forthwith cease and desist from:

A. Falsely or deceptively advertising fur products through the use of any advertisement, representation, public announcement or notice which is intended to aid, promote or assist, directly or indirectly, in the sale or offering for sale of fur products, and which:

1. Represents directly or by implication that the regular or usual price of any fur product is in an amount which is in excess of the price at which the respondents have usually and customarily sold such products in the recent regular course of their business.

2. Represents directly or by implication through percentage savings claims, that the regular or usual retail prices charged by respondents for fur products in the recent regular course of their business, are reduced in direct proportion to the amounts of savings stated, when contrary to the fact.

B. Making price claims and representations, of the types referred to in subparagraphs A-1 and A-2 above, unless there are maintained by respondents full and adequate records disclosing the facts upon which such claims or representations are based.

It is further ordered, That the charge set forth in Paragraph Four of the complaint herein, viz., that respondents, in advertising, failed to disclose the name or names of the animal or animals producing the fur or furs contained in the fur products, should be dismissed, and the same hereby is dismissed without prejudice.

By "Decision of the Commission", etc., report of compliance was required as follows:

It is ordered, That the respondents herein shall within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with the order to cease and desist.

Issued: December 24, 1958.

By the Commission.

[SEAL] ROBERT M. PARRISH,
Secretary.

[F.R. Doc. 59-849; Filed, Jan. 30, 1959; 8:47 a.m.]

[Docket 7098]

PART 13—DIGEST OF CEASE AND DESIST ORDERS

Marie Louise Gordon et al.

Subpart—*Advertising falsely or misleadingly:* § 13.155 *Prices:* Comparative; forced or sacrifice sales; percentage savings. Subpart—*Invoicing products falsely:* § 13.1108 *Invoicing products falsely:* Fur Products Labeling Act. Subpart—*Misbranding or mislabeling:* § 13.1280 *Price.* Subpart—*Misrepresenting oneself and goods*—Prices: § 13.1805 *Exaggerated as regular and customary;* § 13.1810 *Fictitious marking.* Subpart—*Neglecting, unfairly or deceptively, to make material disclosure:* § 13.1845 *Composition:* Fur Products Labeling Act; § 13.1865 *Manufacture or preparation:* Fur Products Labeling Act.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; sec. 8, 65 Stat. 179, 15 U.S.C. 45, 69f.) [Cease and desist order, Marie Louise Gordon formerly doing business as DeLuxe Fur Company et al., Hazleton, Pa., Docket 7098, December 24, 1958]

In the Matter of Marie Louise Gordon, an Individual Formerly Doing Business as DeLuxe Fur Company, and George Gordon, an Individual Formerly Manager of the DeLuxe Fur Company.

This proceeding was heard by a hearing examiner on the complaint of the Commission charging furriers in Hazleton, Pa., with violating the Fur Products Labeling Act by tagging fur products with excessive prices purporting to be the regular retail selling prices; by newspaper and television advertising which failed to disclose the names of animals producing certain furs or that some furs were artificially colored, represented furs falsely as from a business in liquidation, and used comparative prices and percentage savings claims, etc., not based on adequate records; and by failing in other respects to comply with the labeling, invoicing, and advertising requirements of the Act.

After acceptance of an agreement for a consent order, the hearing examiner made his initial decision and order to cease and desist which became on December 24 the decision of the Commission.

The order to cease and desist is as follows:

It is ordered, That respondents Marie Louise Gordon (erroneously designated in the complaint as Mary Louise Gordon), an individual formerly doing business as DeLuxe Fur Company, and George Gordon, an individual formerly manager of the DeLuxe Fur Company, and doing business under any other trade name or names, and respondents' agents, representatives, and employees, directly or through any corporate or other device, in connection with the introduction into commerce or the sale, advertising, offering for sale, transportation or distribution of fur products, in commerce, or in connection with the sale, advertising, offering for sale, transportation or distribution of fur products which have been made in whole or in

part of fur which has been shipped and received in commerce, as "commerce", "fur", and "fur product" are defined in the Fur Products Labeling Act, do forthwith cease and desist from:

A. Misbranding fur products by:

1. Representing on labels attached to fur products, or in any other manner, that certain amounts are the regular and usual prices of fur products when such amounts are in excess of the prices at which such products are usually and customarily sold by respondents in the recent regular course of their business.

2. Failing to affix labels to fur products showing:

(a) The name or names of the animal or animals producing the fur or furs contained in the fur products as set forth in the Fur Products Name Guide and as prescribed by the Rules and Regulations;

(b) That the fur product contains or is composed of used fur, when such is the fact;

(c) That the fur product contains or is composed of bleached, dyed, or otherwise artificially colored fur, when such is the fact;

(d) That the fur product is composed in whole or in substantial part of paws, tails, bellies or waste fur, when such is the fact;

(e) The name, or other identification issued and registered by the Commission, of one or more persons who manufactured such fur product for introduction into commerce, introduced it into commerce, sold it in commerce, advertised or offered it for sale in commerce, or transported it in commerce;

(f) The name of the country of origin of any imported furs used in the fur product;

(g) The item number or mark assigned to a fur product.

3. Setting forth on labels attached to fur products:

(a) Information required under section 4(2) of the Fur Products Labeling Act and the rules and regulations promulgated thereunder mingled with nonrequired information;

(b) Information required under section 4(2) of the Fur Products Labeling Act and the rules and regulations promulgated thereunder in handwriting.

B. Falsely or deceptively invoicing fur products by:

1. Failing to furnish invoices to purchasers of fur products showing:

(a) The name or names of the animal or animals producing the fur or furs contained in the fur product as set forth in the Fur Products Name Guide and as prescribed under the rules and regulations;

(b) That the fur product contains or is composed of used fur, when such is the fact;

(c) That the fur product contains or is composed of bleached, dyed or otherwise artificially colored fur, when such is the fact;

(d) That the fur product is composed in whole or in substantial part of paws, tails, bellies or waste fur, when such is the fact;

(e) The name and address of the person issuing such invoice;

(f) The name of the country of origin of any imported furs contained in the fur product;

(g) The item number or mark assigned to a fur product.

2. Setting forth on invoices pertaining to fur products information required under section 5(b)(1) of the Fur Products Labeling Act and the rules and regulations promulgated thereunder in abbreviated form.

C. Falsely or deceptively advertising fur products through the use of any advertisement, representation, public announcement, or notice which is intended to aid, promote or assist, directly or indirectly, in the sale or offering for sale of fur products and which:

1. Fails to disclose:

(a) The name or names of the animal or animals producing the fur or furs contained in the fur product, as set forth in the Fur Products Name Guide and as prescribed under the rules and regulations;

(b) That the fur products contain or are composed of bleached, dyed or otherwise artificially colored fur, when such is the fact.

2. Fails to set forth the information required under section 5(a) of the Fur Products Labeling Act and the rules and regulations promulgated thereunder in type of equal size and conspicuousness and in close proximity with each other.

3. Represents, directly or by implication, that any such stock is from the stock of a business in a state of liquidation, contrary to the fact.

D. Making claims and representations in advertisements respecting comparative prices, percentage savings claims or claims that prices are reduced from regular or usual prices unless there are maintained by respondents full and adequate records disclosing the facts upon which such claims and representations are based.

By "Decision of the Commission", etc., report of compliance was required as follows:

It is ordered, That respondents Marie Louise Gordon (erroneously designated in the complaint as Mary Louise Gordon), an individual formerly doing business as DeLuxe Fur Company, and George Gordon, an individual formerly manager of the DeLuxe Fur Company, shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with the order to cease and desist.

Issued: December 24, 1958.

By the Commission.

[SEAL] ROBERT M. PARRISH, *Secretary.*

[F.R. Doc. 59-850; Filed, Jan. 30, 1959; 8:48 a.m.]

[Docket 7209]

PART 13—DIGEST OF CEASE AND DESIST ORDERS

Nelbro Packing Co.

Subpart—*Discriminating in price under section 2, Clayton Act, as amended*—Payment or acceptance of commission, brokerage, or other compensation under 2(c): § 13.820 *Direct buyers.*

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interprets or applies sec. 2, 38 Stat. 730, as amended; 15 U.S.C. 13) [Cease and desist order, Nelbro Packing Company, Seattle, Wash., Docket 7209, December 24, 1958]

This proceeding was heard by a hearing examiner on the complaint of the Commission charging a distributor of canned salmon in Seattle, Wash., with violating the brokerage section of the Clayton Act by such practices as allowing a discount reflecting brokerage on direct sales to a large retail chain buyer.

After acceptance of an agreement containing consent order, the hearing examiner made his initial decision and order to cease and desist which became on December 24 the decision of the Commission.

The order to cease and desist is as follows:

It is ordered, That Nelbro Packing Company, a corporation, and its officers, agents, representatives or employees, directly or through any corporate or other device, in connection with the sale of seafood products in commerce, as "commerce" is defined in the aforesaid Clayton Act, do forthwith cease and desist from: Paying, granting or allowing, directly or indirectly, to any buyer, or to anyone acting for or in behalf of, or who is subject to the direct or indirect control of such buyer, anything of value as a commission, brokerage, or other compensation, or any allowance or discount in lieu thereof, upon or in connection with any sale of seafood products to such buyer for his own account.

By "Decision of the Commission", etc., report of compliance was required as follows:

It is ordered, That respondent Nelbro Packing Company, a corporation, shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which it has complied with the order to cease and desist.

Issued: December 24, 1958.

By the Commission.

[SEAL] ROBERT M. PARRISH, *Secretary.*

[F.R. Doc. 59-851; Filed, Jan. 30, 1959; 8:48 a.m.]

Title 32—NATIONAL DEFENSE

Chapter V—Department of the Army

SUBCHAPTER F—PERSONNEL

PART 581—PERSONNEL REVIEW BOARDS

Army Discharge Review Board

Section 581.2 is amended by changing paragraph (f)(1) to read as follows:

§ 581.2 Army Discharge Review Board.

* * * * *

(f) *Hearings*—(1) *General.* (i) An applicant, upon request, is entitled by law to appear before the board in open

session either in person or by counsel of his own selection. As used in this section, the term "counsel" will be construed to include members of the Federal bar in good standing, the bar of any State in good standing, accredited representatives of veterans' organizations recognized by the Veterans Administration under 72 Stat. 1238; 38 U.S.C. 3402 and such other persons not barred by law, regulations, or customs who, in the opinion of the board, are considered to be competent to present equitably and comprehensively the claim of the applicant for review. In no case will the expenses or compensation of counsel for the applicant be paid by the Government.

(ii) In every case in which a hearing is requested, the secretary will transmit to the applicant and to designated counsel for the applicant, if any, a written notice stating the time and place of hearing. The record will contain evidence that the Secretary-Recorder has given written notice to the applicant and his counsel, if any.

(iii) An applicant who requests a hearing in person and who, after being duly advised of the time and place of hearing and fails to appear without previous satisfactory arrangement with the Board, will be considered as having waived his right of appearance and his case will be reviewed on the evidence contained in his military records and such other evidence as may be presented by the applicant.

[AR 15–180, Dec. 30, 1958] (Sec. 3012, 70A Stat. 157; 10 U.S.C. 3012. Interprets or applies sec. 301, 58 Stat. 286, as amended; 38 U.S.C. 693h)

[SEAL] R. V. LEE,
Major General, U.S. Army,
The Adjutant General.

[F.R. Doc. 59–830; Filed, Jan. 30, 1959; 8:45 a.m.]

SUBCHAPTER G—PROCUREMENT

PART 592—PROCUREMENT BY NEGOTIATION

PART 593—COORDINATED PROCUREMENT

PART 606—SUPPLEMENTAL PROVISIONS

Miscellaneous Amendments

1. In § 592.405–3, revise the opening portion and paragraph (a), to read as follows:

§ 592.405–3 Letter contract.

The policy of the Department of the Army is to avoid use of letter contracts to the greatest extent possible. In amplification of § 3.405–3 of this title, letter contracts shall be used only where the contracting officer determines that the interest of the national defense demands that the contractor be given a binding commitment so that work can be commenced immediately, negotiation of a definitive contract in sufficient time to meet the essential procurement need is not possible, and that no other type of contract is suitable.

(a) *Approval requirement.* Letter contracts, or any other type of preliminary contract, shall not be used without prior approval of the Chief, Contracts Branch, Office of the Deputy Chief of Staff for Logistics, Headquarters, Department of the Army, except that, subject to the limitation set forth in § 3.405–3 of this title and this section, chiefs of technical services and designated senior officers of their headquarters staff responsible for procurement are authorized to issue letter contracts in amounts representing not more than 50 percent of the total estimated amount of the definitive contract, provided, the estimated amount of the definitive contract does not exceed the approval authority of the particular technical service as authorized in § 606.204 of this chapter. This authority shall not be redelegated. When the total estimated amount of the proposed definitive contract exceeds that which the procuring technical service is authorized to approve, or where it is desired to award a letter contract in an amount in excess of 50 percent of the total estimated amount of the proposed definitive contract, prior approval of the Chief, Contracts Branch, Office of the Deputy Chief of Staff for Logistics, Headquarters, Department of the Army, is required.

2. Section 593.212–50 is added, and § 593.250 is revised as follows:

§ 593.212–50 Distribution of Military Interdepartmental Purchase Requests (MIPR's).

When the estimated cost of a Military Interdepartmental Purchase Request (MIPR) placed with other military departments, including Single Manager procurement agencies not under the supervisory control of the Department of the Army, exceeds $2,000,000, a copy of the MIPR shall be forwarded direct on the date issued to the Assistant Secretary of the Army (Logistics), Headquarters, Department of the Army, Attn: Chief, Procurement Division and to the Deputy Chief of Staff for Logistics, Headquarters, Department of the Army, Attn: Chief, Contracts Branch.

§ 593.250 Aviation plants assigned for procurement and mobilization planning.

AIRCRAFT PLANTS

Plant Index No.	Aviation Plants		Current procurement and mobilization planning assigned to—
	Manufacturer	Location	
103964	Beech Aircraft Corp	Wichita, Kans	Air Force.
105440	Bell Aircraft Corp., Niagara Falls Blvd	Wheatfield, N. Y	Do.
105450	Bell Aircraft Corp., Bell Helicopter Corp	Hurst, Tex	Navy.
105451	Bell Aircraft Corp., Air Force Plant No. 18, 2221 Kenmore Ave.	Tonawanda, N. Y	Air Force.
127372	Boeing Airplane Co	Renton, Wash	Do.
127376	Boeing Airplane Co	Seattle, Wash	Do.
127448	Boeing Airplane Co	Wichita, Kans	Do.
186004	Cessna Aircraft Co	Hutchinson, Kans	Do.
186008	Cessna Aircraft Co	Wichita, Kans	Do.
937024	Chance Vought Aircraft, Inc., Plant B, Naval Industrial Reserve Aircraft Plant.	Dallas, Tex	Navy.
284656	Douglas Aircraft Co., Inc., Naval Industrial Reserve Aircraft Plant.	El Segundo, Calif	Do.
284668	Douglas Aircraft Co., Inc	Santa Monica, Calif	Do.
284683	Douglas Aircraft Co., Inc., National Industrial Reserve Plant No. 3.	Tulsa, Okla	Air Force.
284685	Douglas Aircraft Co., Inc	Long Beach, Calif	Do.
305224	Edo Corp	College Point, N. Y	Navy.
335212	Fairchild Engine and Airplane Corp., Fairchild Aircraft Div.	Hagerstown, Md	Air Force.
231302	General Dynamics Corp., Convair Div., Plant No. 1	San Diego, Calif	Navy.
231303	General Dynamics Corp., Convair Div., Plant No. 2	do	Air Force.
231292	General Dynamics Corp., Convair Div., Aircraft Plant No. 4.	Forth Worth, Tex	Do.
412765	Goodyear Tire and Rubber Co., Goodyear Aircraft Corp., Plancor 512.	Akion, Ohio	Navy.
433172	Grumman Aircraft Engineering Corp	Bethpage, N. Y	Do.
457600	Hayes Aircraft Corp	Birmingham, Ala	Air Force.
039644	Hiller Helicopter, Inc	Palo Alto, Calif	Navy.
490213	Huges Tool Co., Hughes Aircraft Div	Culver City, Calif	Air Force.
537898	Kaman Aircraft Corp., Naval Industrial Reserve Aircraft Plant.	Bloomfield, Conn	Navy.
537900	Kaman Aircraft Corp	Windsor Locks, Conn	Do.
604812	Lockheed Aircraft Corp., Plant A	Burbank, Calif	Do.
604814	Lockheed Aircraft Corp., Plant B	do	Air Force.
604820	Lockheed Aircraft Corp	Marietta, Ga	Do.
604825	Do	Van Nuys, Calif	Do.
637791	Glenn L. Martin Co., Plant No. 2	Middle River, Md	Navy.
649916	McDonnell Aircraft Corp	St. Louis, Mo	Do.
253196	North American Aviation, Inc., Naval Industrial Reserve Aircraft Plant.	Columbus, Ohio	Do.
746110	North American Aviation, Inc	Downey, Calif	Air Force.
746134	Do	Los Angeles, Calif	Do.
750392	Northrop Aircraft	Hawthorne, Calif	Do.
815684	Northrop Aircraft, Radioplane Co	Van Nuys, Calif	Do.
771512	Palmdale Production and Testing Center	Palmdale, Calif	Do.
826306	Republic Aviation Corp	Farmingdale, N. Y	Do.
849076	Ryan Aeronautical Corp	San Diego, Calif	Navy.
919174	TEMCO Aircraft Corp., Plant A	Dallas, Tex	Do.
937070	United Aircraft Corp., Sikorsky Aircraft Div	Bridgeport, Conn	Air Force.
791703	Vertol Aircraft Corp. (formerly Piasecki Helicopter Corp).	Morton, Pa	Navy.

ENGINE PLANTS

Plant Index No.	Aviation Plants		Current procurement and mobilization planning assigned to—
	Manufacturer	Location	
8[illegible]78	AVCO Manufacturing Corp., Lycoming Div.	Williamsport, Pa.	Air Force.
8[illegible]88	AVCO Manufacturing Corp., Bridgeport Lycoming Div.	Stratford, Conn.	Do.
519112	Barium Steel Corp., Jacobs Aircraft Engine	Pottstown, Pa.	Do.
995119	Chrysler Corp., Dodge Div., Jet Engine Plant, Naval Industrial Reserve Aircraft Plant, 16 Mile Road and Van Dyke Ave.	Sterling Township, Mich.	Do.
232852	Continental Motors Corp., Continental Aviation and Engineering Corp., Research Div., 1470 Algonquin Ave.	Detroit, Mich.	Do.
253236	Curtiss-Wright Corporation, Wright Aeronautical Div.	Woodridge, N. J.	Do.
335221	Fairchild Engine and Airplane Corp., Fairchild Engine Div.	Deer Park, N. Y.	Do.
995075	Ford Motor Co., Ford Aircraft Engine Plant, Air Force Plant No. 39.	Chicago, Ill.	Do.
995171	Ford Motor Co., Engine and Foundry Div., Naval Industrial Reserve Aircraft Plant.	Romulus, Mich.	Navy.
384432	General Electric Co., Aircraft Gas Turbine Div., Production Engine Dept.	Evendale, Ohio.	Air Force.
384164	General Electric Co., Aircraft Gas Turbine Div., Small Aircraft Engine Dept., Plancor 864.	West Lynn, Mass.	Do.
387933	General Motors Corp., Allison Div., Plancor 548	Indianapolis, Ind.	Do.
391537	General Tire and Rubber Co., Aerojet General Corp., Liquid Rocket Plant, Nimbus Station.	Sacramento, Calif.	Do.
391538	General Tire and Rubber Co., Aerojet General Corp.	Azusa, Calif.	Navy.
391539	...do.	Sacramento, Calif.	Do.
995478	Reaction Motors, Inc., Naval Industrial Reserve Aircraft Plant.	Danville, N.J.	Do.
937059	United Aircraft Corp., Pratt and Whitney Aircraft Div., Departmental Reserve Plant.	East Hartford, Conn.	Do.
937062	United Aircraft Corp., Pratt and Whitney Aircraft Div.	North Haven, Conn.	Do.
937064	United Aircraft Corp., Pratt and Whitney Aircraft Div., Naval Industrial Reserve Aircraft Plant.	Southington, Conn.	Do.
995202	Westinghouse Electric Corp., Aviation Gas Turbine Div., Naval Industrial Reserve Aircraft Plant.	Kansas City, Mo.	Do.

PROPELLER PLANTS

253229	Curtiss Wright Corp., Propeller Div.	Caldwell, N.J.	Air Force.
387980	General Motors Corp., Allison Div., Aero Products Operations.	Vandalia, Ohio.	Do.
937069	United Aircraft Corp., Hamilton Standard Div.	Windsor Locks, Conn.	Navy.

OTHER PLANTS

995319	Air Force Plant No. 27.	Toledo, Ohio.	Air Force.

3. Revise § 606.204–2, the opening portion of § 606.204–3, and paragraph (b) of § 606.204–5, as follows:

§ 606.204–2 Leases of Government personal property.

Leases and supplemental agreements to leases of Government personal property, regardless of amount, except as heretofore or hereafter may be delegated by the Secretary, shall be submitted for approval by the Assistant Secretary of the Army (Logistics). Requests for approval shall be addressed to the Deputy Chief of Staff of Logistics, Headquarters, Department of the Army, Attn: Chief, Contracts Branch.

§ 606.204–3 Construction or rehabilitation of installations, and repairs and utilities.

Awards of formally advertised contracts for construction or rehabilitation of installations, and repairs and utilities do not require approval by higher authority, unless otherwise required by the Head of the Procuring Activity.

§ 606.204–5 Utility service contracts.

* * * * *

(b) *Approval of contracts.* The purchase of utility services is governed by AR 420–41 and AR 420–62, Administrative Regulations of the Army, which define the term "utilities services" and prescribe the required approvals for utilities services contracts and supplemental agreements. All contracts and supplemental agreements which, under the provisions of the above regulations, are subject to the manual approval of the Army Power Procurement Officer, or his authorized representative, shall be submitted for approval to the Chief of Engineers, Attn: Army Power Procurement Officer, together with the supporting information required by § 606.205(b).

4. Sections 606.204–6 through 606.204–13 are revised, and §§ 606.204–14, 606.204–15, and 606.204–16 are added, as follows:

§ 606.204–6 Government owned contractor operated plants (GOCO).

(a) *Chief, Contracts Branch.* In addition to the specific category approval requirements prescribed in § 606.204–8, proposed awards of contracts and supplemental agreements to contracts for the maintenance or operation of or for manufacture in GOCO plants shall be submitted to the Deputy Chief of Staff for Logsitics, Headquarters, Department of the Army, Attn: Chief Contracts Branch, for approval when the amount or the estimated amount exceeds: (1) $15 000,000 and the contract is being entered into by a contracting officer under the jurisdiction of the Chief of Ordnance; (2) $10,000,000 and the contract is being entered into by a contracting officer under the jurisdiction of the Chief Signal Officer; or (3) $5,000,000 and the contract is being entered into by a contracting officer under the jurisdiction of the Chief Chemical Officer, the Chief of Engineers, The Quartermaster General, The Surgeon General, or the Chief of Transportation.

(b) *Chiefs of Technical Services.* Except for the specific category approval requirements prescribed in § 606.204–8, chiefs of technical services and designated senior officers of their staffs responsible for procurement are authorized to approve awards of contracts and supplemental agreements to contracts for the maintenance or operation of or for manufacture of GOCO plants in the following amounts: (1) The Chief of Ordnance in amount not in excess of $15,000,000; (2) the Chief Signal Officer in amount not in excess of $10,000,000; and (3) the Chief Chemical Officer, the Chief of Engineers, the Quartermaster General, The Surgeon General and the Chief of Transportation in amount not in excess of $5,000,000. This authority may be redelegated by chiefs of technical services to the extent deemed necessary without authority of further redelegation.

§ 606.204–7 Army ballistic missiles.

Effective January 1, 1959, proposed awards of contracts and supplemental agreements to contracts for the Redstone Missile System which are in excess of $25,000,000 shall be submitted to the Deputy Chief of Staff for Logistics, Department of the Army, Washington 25, D.C., Attn: Chief, Contracts Branch, for approval.

§ 606.204–8 Specific category approval requirements.

Nothwithstanding the delegations set forth in §§ 606.204–6 and 606.204–9, proposed awards of formally advertised and negotiated contracts and supplemental agreements to contracts, involving engineering changes or additional services or supplies, for the following items in excess of the amounts stated below shall be forwarded to the Deputy Chief of Staff for Logistics, Department of the Army, Washington 25, D.C., Attn: Chief, Contracts Branch, for approval when the contract is being entered into by a contracting officer under the jurisdiction of a head of a procuring activity other than the major oversea commanders:

(a) Tracked and wheeled vehicles, and trailers when the amount or estimated amount exceeds $1,000,000;

(b) Aircraft maintenance services, including rebuild or exchange of components for aircraft, when the amount or estimated amount exceeds $200,000, or when delivery orders expected to be issued against an Indefinite Delivery Type Contract are estimated to aggregate amounts in excess of $200,000; except that, the above amounts shall be limited to $100,000 for heads of procuring activities other than chiefs of technical services;

(c) Concurrent and replenishment repair parts for guided missile systems and rockets (1) in project code 4121, (2) related items in project codes 4061, 4071, and 4111, and (3) parts common to items and systems not included in subparagraphs (1) and (2) of this paragraph where a substantial portion of such common parts are for guided missile systems and rockets included in the above proj-

ect codes; when the amount exceeds $200,000. For the purpose of this category the term contract includes but is not limited to task orders, delivery orders, job orders, etc.; and

(d) Actions which may be controversial, have sensitive aspects, or involve major policy decisions.

§ 606.204–9 Contracts in general.

Award approvals required for formally advertised and negotiated contracts, except as otherwise specifically delegated in writing, or as stated in §§ 606.204–1 to 606.204–8, 606.204–10, and 606.204–11, are as indicated below. The term contracts as used herein includes supplemental agreements involving engineering changes or additional services or supplies. The term amount includes the dollar amount of a contract or the estimated total dollar amount of delivery orders to be placed during the fiscal year under Indefinite Delivery Type Contracts (§ 606.1101).

(a) *Chief, Contracts Branch.* Proposed awards of contracts included in this section shall be submitted to the Deputy Chief of Staff for logistics, Department of the Army, Washington 25, D.C., Attn: Chief, Contracts Branch, for approval when: (1) The amount exceeds $1,000,000 and the contract is being entered into by a contracting officer under the jurisdiction of the Chief Chemical Officer, The Surgeon General, or the Chief of Transportation; (2) the amount exceeds $2,000,000 and the contract is being entered into by a contracting officer under the jurisdiction of the Chief of Engineers, The Quartermaster General or the Chief Signal Officer; (3) the amount exceeds $3,000,000 and the contract is being entered into by a contracting officer under the jurisdiction of the Chief of Ordnance, or (4) when the amount exceeds $100,000 and the contract is being entered into by a contracting officer not under the jurisdiction of a technical service or major oversea command.

(b) *Chief of Technical Services.* Chief of Technical Services and designated senior officers of their headquarters staff responsible for procurement are authorized to approve awards of contracts included in this section in the following amounts (1) the Chief Chemical Officer, The Surgeon General, and the Chief of Transportation not in excess of $1,000,000; (2) the Chief of Engineers, The Quartermaster General, and the Chief Signal Officer not in excess of $2,000,000; and (3) the Chief of Ordnance not in excess of $3,000,000. This authority may be redelegated by chiefs of technical services to the extent deemed necessary within the following limits: The Chief Chemical Officer, The Surgeon General, and the Chief of Transportation for contracts not in excess of $500,000; the Chief of Engineers, the Chief of Ordnance, the Quartermaster General and the Chief Signal Officer for contracts not in excess of $1,000,000. Subject to any further instructions which may be issued by the chief of a technical service, contracts included in this paragraph amounting to less than $100,000 do not require approval by higher authority.

(c) *Heads of procuring activities other than technical services and major oversea commands.* Heads of procuring activities other than technical services and major oversea commands are authorized to approve awards of contracts included in this section in amounts not in excess of $100,000. This authority may be redelegated to the extent deemed necessary without authority of further redelegation.

§ 606.204–10 Major oversea commands.

Commanding generals of major oversea commands may approve awards of contracts and modifications of such contracts, not included in §§ 606.204–1 to 606.204–5, except as otherwise specifically delegated in writing. Commanding generals of major oversea commands may redelegate this authority to the extent necessary without authority of further redelegation.

§ 606.204–11 Management engineering contracts.

(a) Management engineering services and activities are explained in DA Pam 20–345 (Management Engineering in the Army Establishment). Proposed contracts for services of the general nature described in paragraphs 2 and 3, DA Pam 20–345, fall within the scope of AR 1–110, administrative regulations pertaining to contracts for management engineering. A contracting officer shall not execute a contract (or supplemental agreement) for management engineering services prior to receipt, through channels of Secretarial approval of the project. In the event that proposed contracts and supplemental agreements to contracts for such services are forwarded to higher authority in connection with obtaining Secretarial approval of the project, as required by paragraph 7, AR 1–110, such proposed contracts or supplemental agreements to contracts originating in the technical services shall be submitted to the Deputy Chief of Staff for Logistics, Headquarters, Department of the Army, Attn: Chief, Management Division.

(b) In the event that proposed contracts and supplemental agreements to contracts for management engineering services are forwarded to higher authority for contract award approval because (1) the contract amount involved exceeds that set forth in the delegated authority to approve awards of contracts (§ 606.204–9), or (2) the services being procured are of a personal services nature (§ 606.204–1), or (3) approval of award by higher authority is required or desired for other reasons, such proposed contracts or supplemental agreements to contracts shall be submitted to the Deputy Chief of Staff for Logistics, Department of the Army, Washington 25, D.C., Attn: Chief, Contracts Branch.

(c) AR 1–110 does not apply to the employment of experts nor consultants on a per diem basis (§ 606.204–1).

§ 606.204–12 Modification of contracts.

(a) Heads of procuring activities are authorized to approved awards of modifications to existing contracts, regardless of dollar value in the case of procurements under §§ 606.204–3, 606.204–6, and 606.204–9, except as otherwise limited therein for engineering changes, additional supplies or services, and specific category approval requirements in § 606.204–8, subject to the following conditions:

(1) The proposed modification pertains to (i) a basic contract previously approved by the Deputy Chief of Staff for Logistics, or higher authority; or (ii) pertains to a basic contract having a previous modification which has been so approved.

(2) The proposed modification does not contain deviations from procurement regulations which were not authorized for use in the previously approved basic contract or modification.

(3) The profit or fee does not exceed any limitations imposed by Subchapter A, Chapter I of this title and this subchapter, or other procurement directives.

(4) Terms and conditions of the proposed modifications are such that there is no statutory requirement for approval by higher authority. Modifications to facilities contracts involving nonseverable facilities will continue to be submitted to the Deputy Chief of Staff for Logistics, Department of the Army, Washington 25, D.C., Attn: Chief, Contracts Branch, for approval.

(5) The proposed modification applies to an approved program for which funds are available.

Subject to the above conditions, this authority may be redelegated at the discretion of the Head of a Procuring Activity without authority of further redelegation.

(b) Where the award of a basic contract or a previous modification thereto has not been approved by the Deputy Chief of Staff for Logistics, any modification which serves to increase the total contract amount in excess of the amount delegated in §§ 606.204–3, 606.204–6, and 606.204–9 shall be submitted to the Deputy Chief of Staff for Logistics, Department of the Army, ATTN: Chief, Contracts Branch, for approval of award. Subsequent modifications may then be approved by heads of procuring activities, subject to the conditions in paragraph (a) of this section.

(c) In all other cases, the approval of awards of individual modifications shall be subject to the respective authorities and limitations set forth in §§ 606.204–1, 606.204–2, 606.204–4, 606.204–5, 606.204–7, 606.204–8, 606.204–9, with respect to engineering changes, or additional services or supplies, §§ 606.204–10 and 606.204–11.

§ 606.204–13 Preaward clearance.

In performing the review and analysis of proposed awards submitted in accordance with the provisions of this subchapter, the Chief, Contracts Branch, Office of the Deputy Chief of Staff for Logistics, Department of the Army, will obtain preaward clearance from the Assistant Secretary of the Army (Logistics) in the form of a notation prior to approving proposed awards for:

(a) *Army ballistic missiles* (§ 606.204–7). The Redstone Missile system in excess of $25,000,000

(b) *Specific category approval requirements* (§ 606.204–8). (1) Tracked

and wheeled vehicles and trailers in excess of $1,000,000 (§ 606.204–8(a)).

(2) Aircraft maintenance services in excess of $200,000 (§ 606.204–8(b)).

(3) Guided missile systems and rockets in project code 4121 and related items in project codes 4061, 4071 and 4111, when such contracts include or are for repair parts the estimated cost of which exceeds $200,000 (§ 606.204–8(c)).

(4) Actions which may be controversial, have sensitive aspects, or involve major policy decisions (§ 606.204–8(d)).

(c) *Contracts in general (§ 606.204–9).* (1) Amounts in excess of $2,000,000 and the contract is being entered into by a contracting officer under the jurisdiction of (i) the Chief Chemical Officer; (ii) The Quartermaster General; (iii) The Surgeon General; or (iv) the Chief of Transportation.

(2) Amounts in excess of $3,000,000 and the contract is being entered into by a contracting officer under the jurisdiction of the Chief Signal Officer.

(3) Amounts in excess of $3,500,000 and the contract is being entered into by a contracting officer under the jurisdiction of the Chief of Engineers.

(4) Amounts in excess of $5,000,000 and the contract is being entered into by a contracting officer under the jurisdiction of the Chief of Ordnance.

§ 606.204–14 Exigency and competition impracticable.

Requests requiring approval of higher authority of contracts or awards of contracts negotiated under the authority of § 3.202 of this title and § 592.202 of this chapter may be submitted by telegraph or radio. In addition to the information required by § 606.205, requests for approval of awards of contracts negotiated under the authority of § 3.210 of this title and § 592.210 of this chapter will set forth the specific grounds upon which impracticability of competition was based.

§ 606.204–15 Contract review.

At least one competent person, whether or not presently assigned to such office, shall be assigned to the duty of reviewing in an advisory capacity all contracts, except purchases of $2,500 or less, prior to contract approval by the subordinate commanders or chiefs of field offices. This review shall apply to both advertised and negotiated procurements regardless of the level of procurement authority, and shall be for the purpose of insuring that the clauses and conditions of the contract comply with the principles of good procurement and that the interest of the Government is adequately protected. In those instances wherein this is impracticable, this provision may be waived upon determination made to that effect by the ZI Army commander, major oversea commander, Commanding General, Military District of Washington U.S. Army, or the Chief of a Technical Service as appropriate.

§ 606.204–16 Approval clause.

If approval of a contract, supplemental agreement, or change order by any officer or official of the Department of the Army other than the contracting officer is required pursuant to this subchapter, the (a) "Approval of Contract" clause set forth in § 7.105–2 of this title will be included, (b) all changes and deletions will have been made before such approval is requested, and (c) the contract will not be valid until such approval has been obtained.

[C 13, APP. Nov. 28, 1958] (Sec. 3012, 70A Stat. 157; 10 U.S.C. 3012. Interpret or apply secs. 2301–2314, 70A Stat. 127–133; 10 U.S.C. 2301–2314)

[SEAL] R. V. LEE,
Major General, U.S. Army,
The Adjutant General.

[F.R. Doc. 59–786; Filed, Jan. 30, 1959; 8:45 a.m.]

Title 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration, Department of Health, Education, and Welfare

SUBCHAPTER C—DRUGS

PART 141e — BACITRACIN AND BACITRACIN-CONTAINING DRUGS; TESTS AND METHODS OF ASSAY

PART 146—GENERAL REGULATIONS FOR THE CERTIFICATION OF ANTIBIOTIC AND ANTIBIOTIC-CONTAINING DRUGS

PART 146a—CERTIFICATION OF PENICILLIN AND PENICILLIN-CONTAINING DRUGS

PART 146e — CERTIFICATION OF BACITRACIN AND BACITRACIN-CONTAINING DRUGS

Miscellaneous Amendments

Under the authority vested in the Secretary of Health, Education, and Welfare by the Federal Food, Drug, and Cosmetic Act (sec. 507, 59 Stat. 463, as amended; sec. 701, 52 Stat. 1055, as amended 72 Stat. 948; 21 U.S.C. 357, 371) and delegated to the Commissioner of Food and Drugs by the Secretary (22 F.R. 1045; 23 F.R. 9500), the regulations for tests and methods of assay and certification of antibiotic and antibiotic-containing drugs (21 CFR 141e.401, 146.26 (23 F.R. 6421), 146a.47 (23 F.R. 6427), 146e.411) are amended as indicated below:

1. In the FEDERAL REGISTER of July 26, 1958 (23 F.R. 5664), under amendment 1, the word "involved" in the third sentence of § 141e.401(g) would be changed to "evolved".

2. In § 146.26 *Animal feed containing penicillin* * * *, paragraph (b) is amended as follows:

a. The introduction to subparagraph (15) is amended by changing the words "and quail disease (ulcerative enteritis)" to read, "quail disease (ulcerative enteritis), paracolon infection, avian infectious hepatitis, and coccidiosis.".

b. Subparagraph (15)(iii) is amended by inserting after the word "(blackhead)" the words, "paracolon infection,".

c. Subparagraph (15)(iv) is amended by inserting after the word "(blackhead)" the words ", paracolon infection, and avian infectious hepatitis of chickens".

d. Subparagraph (15) is further amended by adding thereto the following new subdivisions (v) and (vi):

(v) For the prevention of coccidiosis in chickens: 0.0055 percent.

(vi) For the control of coccidiosis in chickens: 0.011 percent.

3. In § 146a.47 *Procaine penicillin for aqueous injection*, subparagraph (1)(iii) of paragraph (c) *Labeling* is amended by changing the words "18 months or 24 months" to read, "18 months, 24 months, 36 months, or 48 months".

4. In the FEDERAL REGISTER of July 26, 1958 (23 F.R. 5667), under amendment 27c, the word "Toxicity" in § 146a.112 (d)(2)(iv) should read "Potency".

5. In § 146e.411 *Bacitracin-neomycin ointment* * * *, paragraph (a)(2) is amended by changing the words "18 months or 24 months" to read, "18 months, 24 months, or 36 months".

Notice and public procedure are not necessary prerequisites to the promulgation of this order, and I so find, since it was drawn in collaboration with interested members of the affected industry, since some of the amendments relax existing requirements, and since it would be against public interest to delay providing for these amendments.

I further find that animal feed containing antibiotic drugs and complying with the requirements in 2 a, b, c, and d need not comply with the requirements of sections 502(l) and 507 of the Federal Food, Drug, and Cosmetic Act in order to insure its safety and efficacy.

Effective date. This order shall become effective upon publication in the FEDERAL REGISTER, since both the public and the affected industry will benefit by the earliest effective date, and I so find.

(Sec. 701, 52 Stat. 1055, as amended; 21 U.S.C. 371. Interprets or applies sec. 502, 52 Stat. 1051, as amended; sec. 507, 59 Stat. 463, as amended, 21 U.S.C. 352, 357)

Dated: January 26, 1959.

[SEAL] GEO. P. LARRICK,
Commissioner of Food and Drugs.

[F.R. Doc. 59-855; Filed, Jan. 30, 1959; 8:48 a.m.]

Title 15—COMMERCE AND FOREIGN TRADE

Chapter I—Bureau of the Census, Department of Commerce

PART 50—SPECIAL SERVICES AND STUDIES BY THE BUREAU OF THE CENSUS

Extension of Time Limit for Cities Under 50,000 To Participate in 1960 Census Program for Housing Statistics by Blocks

In accordance with the provisions of section 4 (a) and (c) of the Administrative Procedure Act, it has been found that notice and hearing of this amendment and postponement of the effective date thereof is impracticable and unnecessary for the reason that such pro-

cedure, because of the nature of the rules, serves no useful purpose.

A notice was published April 18, 1958, (§ 50.25, 23 F.R. 2572) stating the provisions under which cities of less than 50,000 population could obtain housing statistics by blocks as a part of the 1960 Census of Housing. For cities with populations from 2,500 to 49,999, the notice is amended by extending the dates to May 1, 1959, for requesting the program and to June 30, 1959, for furnishing satisfactory maps, provided the city agrees to pay the additional cost involved. The additional cost is $5 for each 1,000 population, with a minimum additional cost of $100 for each city.

Effective: January 15, 1959.

(Sec. 3, 49 Stat. 293, as amended; 15 U.S.C. 192a. Interprets or applies sec. 1, 40 Stat. 1256, as amended, sec. 1, 49 Stat. 292, sec. 8, 68 Stat. 1013, as amended; 15 U.S.C. 192, 189a, 13 U.S.C. 8)

ROBERT W. BURGESS,
Director,
Bureau of the Census.

[F.R. Doc. 59-848; Filed, Jan. 30, 1959; 8:47 a.m.]

Title 26—INTERNAL REVENUE

Chapter I—Internal Revenue Service, Department of the Treasury

SUBCHAPTER A—INCOME AND EXCESS PROFITS TAXES

[T.D. 6360]

[Regs. 111]

PART 29—INCOME TAX; TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1941

[Regs. 118]

PART 39—INCOME TAX; TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1951

Further Suspension of Certain Periods of Limitation

Regulations 118 and 111 amended to conform to sections 1 and 2 of the Act of August 12, 1955 (Public Law 384, 84th Cong., 69 Stat. 716), relating to the further suspension of certain periods of limitation within which there may be a nonrecognition of gain in the case of the sale or exchange of a residence by a member of the Armed Forces of the United States.

In order to conform Regulations 118 (26 CFR (1939) Part 39) and Regulations 111 (26 CFR (1939) Part 29), relating to income taxes, to the applicable provisions of the Act of August 12, 1955 (Pub. Law 384, 84th Cong., 69 Stat. 716), such regulations are amended as follows:

PARAGRAPH 1. Section 39.112(n), *Statutory provisions; recognition of gain or loss; gain from sale or exchange of residence,* is amended as follows:

(A) By striking out the words "and before January 1, 1954, except that any such period" in the first sentence of paragraph (8) of section 112(n) and inserting in lieu thereof the words "and during an induction period (as defined in section 112(c)(5) of the Internal Revenue Code of 1954), except that any such period of time".

(B) By revising the historical note following section 112(n) to read as follows:

[Sec. 112(n) as added by sec. 318(a), Rev. Act 1951 (65 Stat. 494); amended by sec. 1, Act of July 16, 1952 (Pub. Law 567, 82d Cong., 66 Stat. 735); sec. 1, Act of Aug. 12, 1955 (Pub. Law 384, 84th Cong., 69 Stat. 716)]

PAR. 2. Paragraph (f)(1) of § 39.112(n)-1, *Members of Armed Forces,* is amended by striking out the words "after the date of the sale of the old residence and before January 1, 1954" in the first sentence and inserting in lieu thereof the words "during an induction period (as defined in section 112(c)(5) of the Internal Revenue Code of 1954 and the regulations thereunder)".

PAR. 3. There is inserted immediately preceding § 29.112(n)-1, as added by Treasury Decision 5991, approved February 17, 1953 (26 CFR (1939) 29.112(n)-1), the following:

PUBLIC LAW 384, 84TH CONGRESS

APPROVED AUGUST 12, 1955

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 112(n)(8) of the Internal Revenue Code of 1939 (relating to the suspension of certain periods of limitation while the taxpayer is on extended active duty with the Armed Forces) is hereby amended by striking out "and before January 1, 1954, except that any such period" and inserting in lieu thereof the following: "and during an induction period (as defined in section 112(c)(5) of the Internal Revenue Code of 1954), except that any such period of time".

SEC. 2. The amendment made by the first section of this Act shall take effect as of December 31, 1953.

* * * * *

PAR. 4. Paragraph (f) of § 29.112(n)-1, as added by Treasury Decision 5991 (26 CFR (1939) 29.112(n)-1(f)), is amended by striking out the words "after the date of the sale of the old residence and before January 1, 1954" in the first sentence and inserting in lieu thereof the words "during an induction period (as defined in section 112(c)(5) of the Internal Revenue Code of 1954 and the regulations thereunder)".

Because this Treasury decision does not prescribe new or different substantive rules and because it merely conforms the regulations to the applicable provisions of the Act of August 12, 1955 (Pub. Law 384, 84th Cong., 69 Stat. 716), which provide for the removal of an unintentional discrimination, it is found that it is unnecessary to issue this Treasury decision with notice and public procedure thereon under section 4(a) of the Administrative Procedure Act, approved June 11, 1946, or subject to the effective date limitation of section 4(c) of that Act.

(53 Stat. 32, 467; 26 U.S.C. 62, 3791)

[SEAL] DANA LATHAM,
Commissioner of Internal Revenue.

Approved: January 28, 1959.

FRED C. SCRIBNER, Jr.,
Acting Secretary of the Treasury.

[F.R. Doc. 59-851; Filed, Jan. 30, 1959; 8:48 a.m.]

Title 46—SHIPPING

Chapter I—Coast Guard, Department of the Treasury

[CGFR 58-57]

PART 10—LICENSING OF OFFICERS AND MOTORBOAT OPERATORS AND REGISTRATION OF STAFF OFFICERS

Subpart 10.05—Professional Requirements for Deck Officers' Licenses (Inspected Vessels)

MARITIME ADMINISTRATION RADAR OBSERVER SCHOOLS; NOTICE OF APPROVAL

Inspections of the Maritime Administration Radar Observer Schools at New York, San Francisco, and New Orleans were made after receipt of a Maritime Administration letter dated June 17, 1958, requesting acceptance of certificates of successful completion of the course of instruction at Maritime Administration's Radar Observer Schools as evidence of the holder's qualification as a "radar observer" so that such holder need not take a further examination. These inspections have been concluded with favorable results.

The new regulation, designated 46 CFR 10.05-46(d)(1), is added by this document in order to inform all persons concerned that certain Maritime Administration Radar Observer Schools are approved. The holders of certain certificates of successful completion of the course of instruction of such Maritime Administration's Radar Observer Schools may present such certificates as evidence of qualification as "radar observer" and be exempt from taking the examination specified in 46 CFR 10.05-46(b). The "notice of approval" of the Maritime Administration's Radar School at New York, New York, dated September 16, 1958, and published in the FEDERAL REGISTER of September 25, 1958 (23 F.R. 7467), is canceled and superseded by the approval as set forth in this document.

By virtue of the authority vested in me as Commandant, United States Coast Guard, by Treasury Department Orders 120, dated July 31, 1950 (15 F.R. 6521), 167-14, dated November 26, 1954 (19 F.R. 8026), 167-20, dated June 18, 1956 (21 F.R. 4894), and CGFR 56-28, dated July 24, 1956 (21 F.R. 5659), to promulgate regulations in accordance with the statutes cited with the regulations below, the following amendment designated § 10.05-46(d)(1) is prescribed and shall become effective upon the date of publication of this document in the FEDERAL REGISTER.

§ 10.05-46 Radar observer.

* * * * *

(d) * * *

(1) The "Radar Observer Schools" listed in this subparagraph are approved. The approval for a particular school shall be effective for all certificates issued on or after the date of the first class held, as set forth in this subparagraph, and will continue in effect until this approval is suspended, canceled, or modified by proper authority.

(i) Maritime Administration Radar Observer School, c/o Atlantic Coast Director, 45 Broadway, New York, New York. Physical location: 45 Broadway, New York, New York. First class held: November 18, 1957.

(ii) Maritime Administration Radar Observer School, c/o Pacific Coast Director, 180 New Montgomery Street, San Francisco, California. Physical Location: Fort Mason, San Francisco Army Terminal. First class held: March 3, 1958.

(iii) Maritime Administration Radar Observer School, c/o Gulf Coast Director, Masonic Temple Building, 333 St. Charles Street, New Orleans, Louisiana. Physical location, New Orleans Army Terminal. First class held: July 14, 1958.

(R.S. 4405, as amended, 4462, as amended; 46 U.S.C. 375, 416. Interpret or apply R.S. 4417a, as amended, 4426, as amended, 4438, as amended, 4439, as amended, 4440, as amended, 4442, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 3, 54 Stat. 347, as amended, sec. 2, 68 Stat. 484, sec. 3, 68 Stat. 676, sec. 3, 70 Stat. 152; 46 U.S.C. 391a, 404, 224, 226, 228, 214, 367, 1333, 239b, 390b, 50 U.S.C. 198)

Dated: January 26, 1959.

[SEAL] A. C. RICHMOND,
Vice Admiral, U.S. Coast Guard,
Commandant.

[F.R. Doc. 59-853; Filed, Jan. 30, 1959; 8:48 a.m.]

Title 50—WILDLIFE

Chapter I—Fish and Wildlife Service, Department of the Interior

SUBCHAPTER B—HUNTING AND POSSESSION OF WILDLIFE

PART 6—MIGRATORY BIRDS

Order Permitting Killing of Depredating Common Mergansers (American Mergansers) in, on, or Over Designated Lakes and Streams in Western Washington

Basis and purpose. It has been determined from investigations and observations made by the Bureau of Sport Fisheries and Wildlife and the Washington State Department of Game that serious depredations to trout populations in certain streams and lakes are occurring because of large numbers of common mergansers (American mergansers) present in western Washington. Because these depredations are so wide-spread in western Washington and cannot be considered as localized injury, it was further determined that these depredations can best be minimized or alleviated by permitting depredating common mergansers (American mergansers) to be killed and taken by shooting in any affected areas under specific conditions and restrictions. Accordingly, pursuant to authority contained in § 6.65, Code of Federal Regulations (23 F.R. 9712) and effective on the date of the publication in the FEDERAL REGISTER, it is ordered as follows:

1. (a) Common mergansers (American mergansers) may be killed by shooting only with a shotgun not larger than 10 gauge fired from the shoulder, during the daylight hours only on or over the following lakes and streams in western Washington when committing or about to commit serious depredations upon trout populations.

CLARK COUNTY

La Camas Lake.

COWLITZ COUNTY

Silver Lake. Yale Reservoir.

ISLAND COUNTY

Cranberry Lake.

SNOHOMISH COUNTY

Bosworth Lake.
Crabapple Lake.
Flowing Lake.
Goodwin Lake.
Ki Lake.
Loma Lake.
Martha Lake (Alderwood Manor).
Martha Lake (Warm Beach).
Roesiger Lake.
Serene Lake (Hwy. 99).
Shoecraft Lake.
Silver Lake.
Storm Lake.
Wagner Lake.

KING COUNTY

Ames Lake.
Beaver Lake.
Desire Lake.
Joy Lake.
Meridian Lake.
Morton Lake.
North Lake.
Pine Lake.
Shadow Lake.
Shady Lake.
Steel Lake.
Wilderness Lake.
Star Lake.

PACIFIC COUNTY

Loomis Lake.

PIERCE COUNTY

Bay Lake.
Clear Lake (Eatonville).
Crescent Lake.
Spanaway Lake.
Tanwax Lake.

KITSAP COUNTY

Kitsap Lake.
Mission Lake.
Scout Lake.
Wildcat Lake.

MASON COUNTY

Aldrich Lake.
Benson Lake.
Cady Lake.
Clara Lake.
Haven Lake.
Isabella Lake
Nahwatzel Lake.
Panther Lake
Phillips Lake
Spencer Lake.
Tiger Lake.
Trask Lake.
Twin Lake.
U Lake
Wooten Lake.

THURSTON COUNTY

Clear Lake (Bald Hills).
Deep Lake.
Hicks Lake.
Lawrence Lake.
McIntosh Lake.
Offut Lake
Summit Lake.
Ward Lake.

WHATCOM COUNTY

Silver Lake.

SAN JUAN COUNTY

Hummel Lake.

SKAGIT COUNTY

Beaver Lake.
Cavanaugh Lake.
Clear Lake.
Hart Lake.
Pass Lake.

STREAMS

Chehalis River.
Cowlitz River.
Dosewallips River.
Duckabush River.
Dungeness River.
Elochoman River.
Grays River.
Green River.
Humptulips River.
Kalama River.
Lewis River and Forks.
Newaukum River.
North River.
Nooksack River.
Puyallup River.
Salmon River.
Satsop River.
Skagit River.
Skokomish River.
Skykomish River.
Snohomish River.
Snoqualmie River.
Sol Duc River.
Soos River.
Stillaguamish River.
Tilton River.
Toit River.
Toutle River.
Washougal River.
Willapa River.
Wind River.
Wynooche River.

(b) The authorization to kill mergansers, as contained in this order shall terminate on April 10, 1959; provided, if prior to that date it is found that the emergency condition no longer exists, the killing of common mergansers (American mergansers) as permitted under this order will be terminated earlier by publication of an order of revocation in the FEDERAL REGISTER.

(c) Common mergansers (American mergansers) killed under the provisions of this order may be used or donated to charitable institutions for food purposes and they may be donated to public museums or public scientific and educational institutions for exhibition, scientific, or educational purposes. No such birds may be sold, offered for sale, bartered, or shipped for purposes of sale or barter. Any such birds which cannot be used for the purposes stated herein shall be completely destroyed.

2. This order does not permit the killing of common mergansers (American mergansers) in violation of any State law or regulation. This order contemplates emergency measures designed to aid in relieving depredations and is not to be construed as a reopening or extension of any open hunting season prescribed by regulations promulgated under section 3 of the Migratory Bird Treaty Act.

(Sec. 3, 40 Stat. 755, as amended, 16 U.S.C. 704)

Since immediate action is necessary to alleviate an emergency condition as described in the opening paragraph, notice and public procedure on this order are impracticable and may be waived under the exceptions provided in section 4(a) of the Administrative Procedure Act of June 11, 1946. Since this order also relieves restrictions which otherwise would preclude the killing of common mergansers (American mergansers), the thirty-day advance publication requirement imposed by section 4(c) of the Administrative Procedure Act of June 11, 1946, may be waived under the exceptions provided in such section.

Issued at Washington, D.C., and dated January 30, 1959.

D. H. JANZEN,
Director, Bureau of Sport
Fisheries and Wildlife.

[F.R. Doc. 59-915; Filed, Jan. 30, 1959; 9:20 a.m.]

PROPOSED RULE MAKING

DEPARTMENT OF JUSTICE

Immigration and Naturalization Service

[8 CFR Part 212]

DOCUMENTARY REQUIREMENTS: NONIMMIGRANTS; WAIVERS; ADMISSION OF CERTAIN INADMISSIBLE ALIENS; PAROLE

Permission To Reapply

Pursuant to section 4 of the Administrative Procedure Act (60 Stat. 238; 5 U.S.C. 1003), notice is hereby given of the proposed issuance of the following rule pertaining to permission to reapply. In accordance with subsection (b) of said section 4, interested persons may submit to the Commissioner of Immigration and Naturalization, Room 767, 119 D Street NE., Washington 25, D.C., written data, views, or arguments (in duplicate) relative to this proposed rule. Such representations may not be presented orally in any manner. All relevant material received within 20 days following the day of publication of this notice will be considered.

The last sentence of § 212.2 *Consent to reapply for admission after deportation, removal, or departure at Government expense* is amended to read as follows: "Permission to reapply is not required in the case of a person who was deported from the United States prior to March 1, 1959, and on that date and at the time of his application for a visa, or at the time of application for admission is a visa is not required, has a parent, spouse, or child who is a United States citizen or an alien lawfully admitted to the United States for permanent residence."

(Sec. 103, 66 Stat. 173; 8 U.S.C. 1103)

Dated: January 29, 1959.

J. M. SWING,
Commissioner of Immigration and Naturalization.

[F.R. Doc. 59-914; Filed, Jan. 30, 1959; 9:26 a.m.]

NOTICES

DEPARTMENT OF AGRICULTURE

Office of the Secretary

CONNECTICUT VALLEY CIGAR-BINDER TOBACCO, TYPES 51 AND 52

Proclamation of Findings as to Parity Price

On November 25, 1958, this Department issued a public notice (23 F.R. 9270) of a public hearing to be held at West Springfield, Massachusetts, on December 18, 1958, pursuant to section 301 (a)(1)(F) of the Agricultural Adjustment Act of 1938, as amended (7 U.S.C. 1301(a)(1)(F)), for the purpose of determining whether the parity price of Connecticut Valley cigar-binder tobacco, types 51 and 52, is seriously out of line with the parity prices of other agricultural commodities and the proper relationship between the parity price of such tobacco and the parity prices of other agricultural commodities. This hearing was requested in a resolution submitted to this Department by the Conn-Mass Tobacco Cooperative, Inc., which was adopted at a meeting attended by persons representing a cross-section of producers of Connecticut Valley cigar-binder tobacco, types 51 and 52. Upon receipt of this request, this Department made a preliminary study, on the basis of which it appeared that there were reasonable grounds for believing that the parity price of such tobacco is seriously out of line with the parity prices of other agricultural commodities.

At the hearing held on this matter pursuant to such notice, testimony and written data and exhibits were received from producers and officials of producer organizations, cigar manufacturers, and the Government, and consideration has been given to all material presented at the hearing and other relevant data and information available in this Department.

It is hereby found and proclaimed (1) that the parity price of Connecticut Valley cigar-binder tobacco, types 51 and 52, is seriously out of line with the parity prices of other agricultural commodities, and (2) that, in order that there may be a proper relationship between the parity price of such tobacco and the parity prices of other agricultural commodities, the method of computing the parity price of such tobacco shall be revised as follows, effective immediately: The parity price of such tobacco shall be computed in the manner provided in section 301(a) of the Agricultural Adjustment Act of 1938, as amended, except that, for each of the marketing seasons beginning in the years 1949 through 1958, 37.9 cents per pound shall be used in lieu of the average of the prices received by farmers for such tobacco during each such marketing season.

Done at Washington, D.C., this 28th day of January 1959.

[SEAL] TRUE D. MORSE,
Acting Secretary.

[F.R. Doc. 59-860; Filed, Jan. 30, 1959; 8:49 a.m.]

DEPARTMENT OF COMMERCE

Office of the Secretary

MARTIN H. FRITCH

Report of Appointment and Statement of Financial Interests

Report of appointment and statement of financial interests required by section 710(b)(6) of the Defense Production Act of 1950, as amended.

Report of Appointment

1. Name of appointee: Mr. Martin H. Fritch.

2. Employing agency: Department of Commerce, Business and Defense Services Administration.

3. Date of appointment: January 5, 1959.

4. Title of position: Consultant (Administrative Adviser to Director), Chemical and Rubber Division, Manager, Market Development.

5. Name of private employer: Koppers Company, Tar Products Division, Pittsburgh, Pa.

CARLTON HAYWARD,
Director of Personnel.

DECEMBER 19, 1958.

Statement of Financial Interests

6. Names of any corporations of which the appointee is an officer or director or within 60 days preceding appointment has been an officer or director, or in which the appointee owns or within 60 days preceding appointment has owned any stocks, bonds, or other financial interests; any partnerships in which the appointee is, or within 60 days preceding appointment was, a partner; and any other businesses in which the appointee owns, or within 60 days preceding appointment has owned, any similar interest.

Koppers Company.
Bank Deposits.

MARTIN H. FRITCH.

JANUARY 23, 1959.

[F.R. Doc. 59-839; Filed, Jan. 30, 1959; 8:46 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. SR 2301]

HERBERT T. ALLEN SAFETY ENFORCEMENT

Notice of Postponement of Oral Argument

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958 that oral argument in the above-entitled proceeding now assigned

to be held on February 11, 1959, is postponed to a date to be later assigned.

Dated at Washington, D.C., January 26, 1959.

[SEAL] FRANCIS W. BROWN, *Chief Examiner.*

[F.R. Doc. 59-862; Filed, Jan. 30, 1959; 8:49 a.m.]

[Docket No. 8711]

TACA INTERNATIONAL AIRLINES, S. A.

Notice of Oral Argument

In the matter of the application of TACA International Airlines, S.A. for renewal of its foreign air carrier permit.

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, that oral argument in the above-entitled proceeding is assigned to be held on February 18, 1959, at 10:00 a.m., Room 5042, Commerce Building, 14th Street and Constitution Avenue NW., Washington, D.C., before the Board.

Dated at Washington, D.C., January 27, 1959.

[SEAL] FRANCIS W. BROWN, *Chief Examiner.*

[F.R. Doc. 59-863; Filed, Jan. 30, 1959; 8:49 a.m.]

[Docket No. 10130]

ALITALIA-LINEE AEREE ITALIANE-S.p.A.

Notice of Prehearing Conference

In the matter of the application of Alitalia for the amendment of its foreign air carrier permit providing for the addition of London as an intermediate point on the route from Italy to Boston and New York.

Notice is hereby given that a prehearing conference in the above-entitled application is assigned to be held on February 5, 1959, at 10:00 a.m., e.s.t., in Room E-210, Temporary Building No. 5, 16th Street and Constitution Avenue NW., Washington, D.C. before Examiner F. Merritt Ruhlen.

Dated at Washington, D.C., January 27, 1959.

[SEAL] FRANCIS W. BROWN, *Chief Examiner.*

[F.R. Doc. 59-864; Filed, Jan. 30, 1959; 8:50 a.m.]

[Docket No. 8851]

CAPITAL AIRLINES, INC., AND UNITED AIR LINES, INC.; TOLEDO ADEQUACY OF INVESTIGATION

Notice of Hearing

In the matter of the complaint of the city of Toledo and the investigation instituted by the Civil Aeronautics Board into the adequacy of service, equipment, and facilities provided by Capital Airlines, Inc., and the adequacy of the air coach service provided by United Air Lines, Inc., between Toledo on the one hand, and Chicago, Cleveland, Philadelphia, and New York on the other, pursuant to section 404(a) of the Federal Aviation Act of 1958.

Notice is hereby given that the hearing in the above-entitled proceeding is assigned to be held on February 16, 1959, at 10 a.m., e.s.t., in the Auditorium of the Toledo Chamber of Commerce, 218 Huron Street, Toledo 4, Ohio, before Examiner Paul N. Pfeiffer.

Without limiting the scope of the issues to be considered, particular attention will be directed to the following matters:

1. Whether Capital Airlines is not providing adequate service, equipment, and facilities, as required by the terms of its certificate between Toledo on the one hand, and Chicago, Cleveland, Philadelphia, and New York on the other, and if so, whether the Board should issue an appropriate order to compel Capital to comply with the provisions of section 404(a) of the Federal Aviation Act of 1958.

2. Whether United Air Lines is not providing adequate air coach service between Toledo on the one hand, and Chicago, Cleveland, Philadelphia and New York on the other, and if so, whether the Board should issue an appropriate order to compel United to comply with the provisions of section 404(a) of the Federal Aviation Act of 1958.

For further details of the issues involved in this proceeding, interested persons are referred to the orders of investigation, E-11974 and E-12748, adopted November 26, 1957, and July 3, 1958, respectively, the prehearing conference report, and all other documents filed in the docket of this proceeding.

Notice is further given that any person, other than a party of record, desiring to be heard in this proceeding, must file with the Board, on or before February 16, 1959, a statement setting forth the issues of fact or law upon which he desires to be heard.

Dated at Washington, D.C., on January 27, 1959.

[SEAL] FRANCIS W. BROWN, *Chief Examiner.*

[F.R. Doc. 59-865; Filed, Jan. 30, 1959; 8:50 a.m.]

[Docket No. 10075]

SOCIEDAD AERONAUTICA MEDELLIN, S.A.

Notice of Hearing

In the matter of the application filed by Sociedad Aeronautica Medellin, S.A. ("SAM") for an amended foreign air carrier permit authorizing it to engage in charter trips in foreign air transportation of property and mail without regard to the terminal or intermediate points named in said permit, pursuant to section 402 of the Federal Aviation Act of 1958.

Notice is hereby given, pursuant to the Federal Aviation Act of 1958, that a hearing in the above-entitled proceeding is assigned to be held on February 24, 1959, at 10:00 a.m., e.s.t., in Room 725, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C., before Examiner John A. Cannon.

Dated at Washington, D.C., January 27, 1959.

[SEAL] FRANCIS W. BROWN, *Chief Examiner.*

[F.R. Doc. 59-866; Filed, Jan. 30, 1959; 8:50 a.m.]

[Docket No. 7277]

MOHAWK AIRLINES, INC.; FUTURE FINAL MAIL RATE CASE

Notice of Hearing

In the matter of the objections of the Delaware, Lackawanna and Western Railroad Company to the provisional findings, conclusions and rates, contained in the Board's Order to Show Cause, dated the 28th day of August, 1958, No. E-12917, in the above-entitled proceeding.

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, that a hearing in the above-entitled proceeding is assigned to be held on February 11, 1959, at 10:00 a.m., e.s.t., in Room E-210, Temporary Building No. 5, 16th Street and Constitution Avenue NW., Washington, D.C.

For further details regarding the issues involved in this proceeding, interested parties are referred to the above-numbered docket which is on file with the Docket Section of the Civil Aeronautics Board.

Notice is further given that any person, other than parties of record, desiring to be heard in this case, shall file with the Board, on or before February 11, 1959, a statement setting forth the issues of fact or law which he desires to controvert.

Dated at Washington, D.C., January 27, 1959.

[SEAL] FRANCIS W. BROWN, *Chief Examiner.*

[F.R. Doc. 59-867; Filed, Jan. 30, 1959; 8:50 a.m.]

BUREAU OF THE BUDGET

ORDER TRANSFERRING TO THE TENNESSEE VALLEY AUTHORITY USE, POSSESSION AND CONTROL OF CERTAIN LANDS IN FANNIN COUNTY, GA., FROM THE DEPARTMENT OF AGRICULTURE

By virtue of the authority vested in the President of the United States by section 7(b) of the Tennessee Valley Authority Act of 1933 (48 Stat. 63), and delegated to the Director of the Bureau of the Budget by section 1(i) of Executive Order No. 10530 of May 10, 1954, it is ordered that the use, possession and control of the lands hereinafter described be, and they are hereby, transferred from the Depatment of Agriculture to the Tennessee Valley Authority, such trans-

fer being deemed necessary and proper for the purposes of the Authority as stated in the Tennessee Valley Authority Act of 1933, as amended:

All those certain tracts or parcels of land lying and being in Fannin County, Georgia, particularly described as follows:

A. A part of Land Lot No. 182, 8th District, 2d Section, of Fannin County, Georgia, beginning at a chestnut tree on the West bank of Fightingtown Creek and the East line of said Land Lot No. 182; thence N. 49° 3' W., 132.7 feet, more or less, to a post oak; thence S. 66°52' W., 712 feet, more or less, to a stake on the bank of said creek; thence up and along said creek 1310 feet, more or less, to the original South line of said Land Lot No. 182; thence N. 87°24' East with the South line of said Land Lot No. 182, 526.5 feet, more or less, to the Southeast corner of said Land Lot No 182; thence in a Northerly direction with the east line of said Land Lot No. 182, 1120 feet, more or less, to the point of beginning.

B. A part of Land Lot No. 183, 8th District, 2nd Section, of Fannin County, Georgia, beginning at the Southwest corner of said Land Lot No. 183; thence N. 87°24' E., with the South line of said Land Lot No. 183, 567.2 feet, more or less, to a serves tree; thence N. 62°19' E., 277 3 feet, more or less, to a post oak; thence N. 55°38' E., 100.4 feet, more or less, to a black oak; thence N. 41°45' E., 310.6 feet, more or less, to a white oak; thence N. 6°20' W., 107.0 feet, more or less, to a stake; thence N. 81°56' W., 197 feet, more or less, to a stake; thence N. 72°16' W., 180 0 feet, more or less, to a stake; thence N. 35°17' E., 237 feet, more or less, to a stake; thence N. 0°54' E., 155 feet, more or less, to a white pine tree near the South bank of Fightingtown Creek; thence continuing N. 0°54' E., 235 feet, more or less, to a holly bush on the North bank of said creek; thence down and along the North bank of said creek 1260 feet, more or less, to a stake; thence N. 48°03' W., 50 feet, more or less, to a point in the West line of said Land Lot No. 183; thence in a Southerly direction with the West line of said Land Lot No. 183, 1120 feet, more or less, to the point of beginning.

C. A parcel of land being 4.5 acres of the N. A. Norris Tract No. 7, lying north of the centerline of U. S. Highway No. 76, more fully described as follows:

Beginning at the NE Corner of Lot No. 269, District 8, Section 2, Fannin County, Georgia, a white oak; thence S. 1°30' E., 355 feet to the centerline of U S Highway No. 76; thence northwesterly with the centerline of U S. Highway No 76 to its intersection with the North line of said Lot 269, a corner of said Norris Tract No 7, thence with the North line of said Norris Tract No 7, the lot line common to Lots 236 and 269 N 84°30' E., 1165 feet to the point of beginning, containing 4 5 acres, more or less.

ROGER W JONES,
Acting Director of the Bureau of the Budget.

JANUARY 24, 1959.

[F R. Doc. 59 828; Filed, Jan. 30, 1959; 8 45 a. m.]

FEDERAL POWER COMMISSION

[Docket No G 9281 etc.]

WESTERN NATURAL GAS CO.

Supplement to Notice of Severance and Postponement of Hearing

JANUARY 26, 1959.

In the matter of Western Natural Gas Company, Docket Nos. G-9281, G-14013 and G-14737.

By notice issued January 14, 1959, proceedings in Docket No. G-9281 were severed from matters in Docket Nos. G-14013 and G-14737 and the hearing date set for January 26, 1959, in the above-designated matter was postponed to February 24, 1959. The postponement of hearing to February 24, 1959, relates to the proceedings in Docket No. G-9281 only. The hearing in Docket Nos. G-14013 and G-14737 is postponed to a date to be hereafter fixed.

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 59-833; Filed, Jan. 30, 1959; 8:45 a.m.]

OFFICE OF CIVIL AND DEFENSE MOBILIZATION

OTTO L. NELSON, JR.

Appointee's Statement of Business Interests

The following statement lists the names of concerns required by subsection 710(b)(6) of the Defense Production Act of 1950, as amended.

Addition

Trustee, Excelsior Savings Bank, New York City.

Chairman Governor Rockefeller's Task Force on Middle Income Housing.

This amends statement published August 7, 1958 (23 F.R. 6022).

Dated: January 10, 1959.

OTTO L. NELSON, Jr.,
Major General, United States Army, Retired.

[F.R. Doc. 59-829; Filed, Jan. 30, 1959; 8:45 a.m.]

GENERAL SERVICES ADMINISTRATION

[Delegation of Authority 361]

ADMINISTRATOR, FEDERAL AVIATION AGENCY

Delegation of Authority Regarding Negotiation of Certain Contracts for Supplies and Services in Connection With Activities of the Federal Aviation Agency

1. Pursuant to the authority vested in me by the Federal Property and Administrative Services Act of 1949 (63 Stat. 377), as amended, hereinafter called "the act," authority is hereby delegated to the Administrator of the Federal Aviation Agency to negotiate purchases and contracts for supplies and services, without advertising, under sections 302(c) (2), (4), (5), (8), (10), (11), (12), and (13) of the act.

2. This authority shall be exercised by you with respect to procurement of those supplies and services which are required in connection with authorized activities, other than administrative programs, conducted by the Federal Aviation Agency.

3. This authority shall be exercised in accordance with applicable limitations and requirements in the act, particularly sections 304, 305, and 307, and in accordance with policies, procedures, and controls prescribed by the General Services Administration.

4. Subject to the provisions of 3 above, the authority herein delegated may be redelegated to any official or employee of the Federal Aviation Agency.

5. Delegation of Authority No. 274 of September 26, 1956, and Delegation of Authority No. 343 of June 17, 1958, are hereby revoked, effective December 31, 1958.

6. This delegation shall be effective as of January 1, 1959, and shall not extend beyond March 31, 1960.

FRANKLIN FLOETE,
Administrator.

JANUARY 27, 1959.

[F.R. Doc. 59-835; Filed, Jan. 30, 1959, 8:46 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 7-1961]

CORN PRODUCTS CO.

Notice of Application for Unlisted Trading Privileges, and of Opportunity for Hearing

JANUARY 27, 1959.

In the matter of application by the Pacific Coast Stock Exchange for unlisted trading privileges in Corn Products Company, common stock; File No. 7-1961.

The above named stock exchange, pursuant to section 12(f)(2) of the Securities Exchange Act of 1934 and Rule 12f-1 promulgated thereunder, has made application for unlisted trading privileges in the specified security, which is listed and registered on the New York Stock Exchange.

Upon receipt of a request, on or before February 13, 1959, from any interested person, the Commission will determine whether to set the matter down for hearing. Such request should state briefly the nature of the interest of the person making the request and the position he proposes to take at the hearing. In addition, any interested person may submit his views or any additional facts bearing on this application by means of a letter addressed to the Secretary of the Securities and Exchange Commission, Washington 25, D C. If no one requests a hearing on this matter, this application will be determined by order of the Commission on the basis of the facts stated in the application and other information contained in the official file of the Commission pertaining to the matter.

By the Commission.

[SEAL] ORVAL L DUBOIS,
Secretary.

[F R Doc 59 852 Filed Jan 30 1959; 8 48 a m]

INTERSTATE COMMERCE COMMISSION

[Notice 79]

MOTOR CARRIER TRANSFER PROCEEDINGS

JANUARY 28, 1959.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 178), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC–FC 61498. By order of January 21, 1959, Division 4, Acting as an Appellate Division, approved the transfer to E. & L. Transport Co., of Kentucky, Louisville, Ky., of Certificates Nos. MC 2484 Sub 22, MC 2484 Sub 29, and MC 2484 Sub 33, and portions of Certificates Nos. MC 2484 Sub 32, and MC 2484 Sub 35, issued August 16, 1949, August 25, 1955, July 10, 1957, September 26, 1956, and December 13, 1956, respectively, to E. & L. Transport Company, Dearborn, Michigan, authorizing the transportation of: Automobiles, trucks, tractors, bodies, chassis, trailers, and cabs, new, used, unfinished and/or wrecked, and parts and accessories thereof, transported in initial and secondary movements, in driveaway and truckaway service; airplane parts; jigs, fixtures, and layouts used in the manufacture and assembly of airplanes; and airplane parts and assemblies; generally from points in Kentucky to points as specified in the United States. George S. Dixon, Guardian Building, Detroit 26, Mich., for applicants.

No. MC–FC 61635. By order of January 23, 1959, the Transfer Board approved the transfer to Alabama Storage Company, Inc., 3708 Eighth Avenue North, Birmingham, Ala., of certificate in No. MC 26544, issued April 26, 1949, to American Transfer and Warehouse Company, Inc., 831 North 19th Street, Birmingham, Ala., authorizing the transportation of: *General commodities*, with the usual exceptions including household goods, between Birmingham, Ala., on the one hand, and, on the other, Abernant and Yolanda, Ala., and points in Jefferson County, Ala., and *Household goods*, between Birmingham, Ala., on the one hand, and, on the other, points in Alabama.

No. MC–FC 61647. By order of January 23, 1959, the Transfer Board approved the transfer to Guy Word Transfer & Storage Company, a Corporation, La Grange, Ga., of permit in No. MC 105429, issued November 9, 1954, to Wyche Haynes, doing business as Haynes Moving & Storage Co., Thomasville, Ga., authorizing the transportation of: *Fresh meats* and packing house products, from Thomasville, Ga., to Quincy, Fla., and *Returned* or *rejected shipments* on the return. Schwartz, Proctor & Bolinger, 713–717 Professional Building, Jacksonville, Fla., for applicants.

No. MC–FC 61723. By order of January 23, 1959, the Transfer Board approved the transfer to Lawrence Erickson, doing business as Erickson Moving Service, Escanaba, Michigan, of a certificate in No. MC 17190, issued November 17, 1958, to Grover J. Lewis, doing business as L. & L. Trucking Service, Escanaba, Michigan, authorizing the transportation of household goods, as defined by the Commission, over regular routes, between specified Michigan points, serving all intermediate points on the route, and between points in Wisconsin, on the one hand, and, on the other, specified points in the Upper Peninsula of Michigan. Glenn W. Stephens, Stephens, Bieberstein, Cooper, and Bruemmer, 121 West Doty Street, Madison 3, Wisconsin.

No. MC–FC 61773. By order of January 23, 1959, the Transfer Board approved the transfer to Joseph Acciavatti, doing business as Service Bus Co., Yonkers, New York, of a certificate in No. MC 94858, issued August 1, 1958, to Eastern Bus Corp., Far Rockaway, New York, authorizing the transportation of passengers and their baggage, restricted to traffic originating at the point indicated, in charter operations, from New York, N.Y., to Savin Rock and Roton Point, Conn., points in New Jersey, those in Pennsylvania east of the Susquehanna River, and those in Dutchess, Orange, Putnam, Rockland, Sullivan, Ulster, and Westchester Counties, N.Y., and return. Sol Paseltiner, 20 South Broadway, Yonkers, New York.

No. MC–FC 61839. By order of January 23, 1959, the Transfer Board approved the transfer to Gerald Esslinger, Scranton, Iowa, of the operating rights in Certificate No. MC 49909, issued July 7, 1953, to Lloyd Bullock and Oral A. Bullock, a Partnership, doing business as Bullock Garage, authorizing the transportation, over regular routes, of livestock, between Bagley, Iowa, and points within 15 miles thereof, and Omaha, Nebr., and from Bagley, Iowa, and points within 15 miles thereof, to Chicago, Ill., farm machinery and parts, from Chicago, Ill., to Bagley, Iowa, and points within 15 miles thereof, and grain, feed, coal, farm machinery, groceries, hay, and oil and grease (in containers), from Omaha, Nebr., to Bagley, Iowa, and points within 15 miles thereof.

No. MC–FC 61881. By order of January 23, 1959, the Transfer Board approved the transfer to Philip H. Jay, doing business as J. Jay, Fair Lawn, New Jersey, of a certificate in No. MC 51261, issued March 19, 1942, to Henry T. J. Jay, doing business as J. Jay, Fair Lawn, New Jersey, authorizing the transportation of cut flowers, potted plants, bulbs, seeds, and florist supplies, over irregular routes, between points in Hudson, Passaic, and Bergen Counties, N.J., on the one hand, and, on the other, New York, N.Y., and supplies and materials used in growing and marketing flowers, over irregular routes, from New York, N.Y., to points in Hudson, Passaic, and Bergen Counties, N.J., and return, with no transportation for compensation except as otherwise authorized to New York. John M. Zachara, P.O. Box 2860, Paterson 28, New Jersey.

[SEAL] HAROLD D. McCOY, *Secretary.*

[F.R. Doc. 59-838; Filed, Jan. 30, 1959; 8:46 a.m.]

FOURTH SECTION APPLICATIONS FOR RELIEF

JANUARY 28, 1959.

Protests to the granting of an application must be prepared in accordance with Rule 40 of the general rules of practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 35206: *Substituted service, rail for motor, Pennsylvania R.R. Co.* Filed by Midwest Haulers, Inc. (No. 10), for itself, The Pennsylvania Railroad Company and interested motor carriers. Rates on various commodities loaded in highway trailers and transported on railroad flat cars between Fort Wayne, Ind., on the one hand, and Kearny, N.J., Harrisburg, or Philadelphia, Pa., on the other.

Grounds for relief: Motor truck competition.

Tariff: Supplement 35 to Midwest Haulers, Inc., tariff MF–I.C.C. 21.

FSA No. 35207: *Trailer-on-flat-car service between Enid, Okla., and the east.* Filed by Southwestern Freight Bureau, Agent (No. B–7477), for interested rail carriers. Rates on various commodities loaded in or on highway trailers and transported on railroad flat cars between Enid, Okla., on the one hand, and points in trunk line and New England territories, on the other.

Grounds for relief: Motor truck and rail competition.

Tariff: Supplement 29 to Southwestern Lines tariff I.C.C. 4298.

FSA No. 35208: *Lime to Minnesota, North Dakota, and South Dakota.* Filed by Traffic Executive Association-Eastern Railroads, Agent (CTR No. 2394), for interested rail carriers. Rates on lime, common, hydrated, quick or slaked, carloads, from points in Michigan and Ohio to points in Minnesota, North Dakota and South Dakota.

Grounds for relief: Short-line distance formula and market competition.

Tariff: Supplement 17 to Traffic Executive Association-Eastern Railroads, Agent, tariff I.C.C. 4319 (Hinsch series).

FSA No. 35209: *Petroleum lubricating oil to Kansas City, Mo.-Kans.* Filed by O. E. Schaefer, Agent (No. 2478), for interested rail carriers. Rates on petroleum lubricating oil, tank-car loads from points in Kentucky, Pennsylvania, and West Virginia to Kansas City, Mo.-Kans.

Grounds for relief: Market competition.

Tariff: Supplement 5 to Traffic Executive Association-Eastern Railroads, Agent, tariff I.C.C. C–1 (Hinsch series).

FSA No. 35210: *Salt from Louisiana to Calvert, Ky.* Filed by Southwestern Freight Bureau, Agent (No. B–7474), for interested rail carriers. Rates on salt, mine run, in bulk, carloads from Anse La Butte, Avery Island, Jefferson Island, and Weeks, La. to Calvert, Ky.

Grounds for relief: Barge competition.

Tariff: Supplement 117 to Southwestern Lines tariff I.C.C. 3903.

FSA No. 35211: *Bituminous coal and briquettes to Indianapolis, Ind.* Filed by Illinois Freight Association, Agent (No. 43), for interested rail carriers. Rates on bituminous coal and coal briquettes, carloads from mines in western Kentucky to Indianapolis, Ind.

Grounds for relief: Market competition from Indiana mines.

Tariff: Supplement 38 to Southern Freight Tariff Bureau tariff I.C.C. 1603.

FSA No. 35212: *Scrap iron or steel to Ohio, Pennsylvania and West Virginia.* Filed by O. E. Schultz, Agent (ER No. 2477), for interested rail carriers. Rates on scrap iron or steel (not copper clad), carloads from Ashland, Ky., New Boston and Portsmouth, Ohio to specified points in Ohio, Pennsylvania, and West Virginia.

Grounds for relief: Barge competition.

Tariff Supplement 34 to Baltimore and Ohio Railroad Company tariff I.C.C. 24355, and two other schedules named in the application.

By the Commission.

[SEAL] HAROLD D. McCOY, *Secretary.*

[F.R. Doc. 59-837; Filed, Jan. 30, 1959; 8:46 a.m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

SHUZO KAWAOKA

Notice of Intention To Return Vested Property

Pursuant to section 32(f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Property, and Location

Shuzo Kawaoka, 874 3 Chome, Matsubara-Cho, Setagaya-Ku, Tokyo, Japan. Claim No. 66933. $171.75 in the Treasury of the United States. Vesting Order No. 13055.

Executed at Washington, D.C., on January 26, 1959.

For the Attorney General.

[SEAL] PAUL V. MYRON, *Deputy Director, Office of Alien Property.*

[F.R. Doc. 59-845; Filed, Jan. 30, 1959; 8:47 a.m.]

JOHN L. KROBOT AND FRANK KROBOT, JR.

Notice of Intention To Return Vested Property

Pursuant to section 32(f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Property, and Location

John L. Krobot, 5644 N. McVickers Avenue, Chicago 30, Ill.; $184.58 in the Treasury of the United States.

Frank Krobot, Jr., Kreichbaumgasse 3, Vienna XII, Austria; $184.58 in the Treasury of the United States.

Claim No. 41283. Vesting Orders No. 4671.

Executed at Washington, D.C., on January 26, 1959.

For the Attorney General.

[SEAL] PAUL V. MYRON, *Deputy Director, Office of Alien Property.*

[F.R. Doc. 59-846; Filed, Jan. 30, 1959; 8:47 a.m.]

MATHILDE ELISABETH SIEGLER AND MARTHE CAROLINE MULLER

Notice of Intention To Return Vested Property

Pursuant to section 32(f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Property, and Location

Mathilde Elisabeth Siegler, nee Voelckel, Bischwiller, Bas-Rhin, France. Claim No. 62426; Marthe Caroline Muller, nee Siegler, Strasbourg, Bas-Rhin, France. Claim No. 62427. $462.09 in the Treasury of the United States; one-half thereof to each claimant. Vesting Order No. 18540.

Executed at Washington, D.C., on January 26, 1959.

For the Attorney General.

[SEAL] PAUL V. MYRON, *Deputy Director, Office of Alien Property.*

[F.R. Doc. 59-847; Filed, Jan. 30, 1959; 8:47 a.m.]

[Dissolution Order 124]

NOZAKI BROTHERS, INC.

Whereas, by virtue of the issuance of Vesting Order No. 597, dated December 30, 1942 (8 F.R. 1155), and other actions taken under the Trading With the Enemy Act, as amended, the Attorney General of the United States (hereinafter referred to as "Attorney General"), successor to the Alien Property Custodian, is the owner of 2,413 shares (approximately 98.8 percent) of the total of 2,440 issued and outstanding shares of common capital stock of Nozaki Brothers, Inc. (hereinafter referred to as the "Company"), a corporation organized under the laws of the State of New York.

Whereas, the remaining 27 shares on and since the above date were registered on the stock records of the Company as follows:

Name of Stockholder, Address, and No. of Shares

Philip Lacher; 511 Lenox Road, Brooklyn, N.Y.; 5.

Herschel Silverstone; 25 Taylor Street, San Francisco, Calif.; 1.

Frank Hungler; 87 Selvage Avenue, Teaneck, N.J.; 15.

George Tawara; 112 Market Street, San Francisco, Calif.; 5.

A. J. Geist; 276 Fifth Avenue, New York, N.Y.; 1.

Whereas, the Company has been substantially liquidated.

Now, therefore, under authority of the Trading With the Enemy Act, as amended, and Executive Orders 9095, as amended, and 9788, and pursuant to law, the undersigned, after investigation:

1. Finding that the known assets of the Company consist of (a) cash in the amount of $13,313.84 and (b) certain debt claims heretofore filed by the Company and currently pending before the Office of Alien Property with respect to property vested in the Attorney General pursuant to the Trading With the Enemy Act, as amended, said claims being designated as Claims Nos. 1753 and 1790, respectively; and

2. Finding that the claims of all known creditors of the Company have been paid, except such claim as the Attorney General may have for current expenses and reasonable and necessary charges, if any, of winding up the affairs of the Company, or liabilities for taxes, if any, accrued prior to the final liquidation of its assets; and

3. Having determined that it is in the national interest of the United States that the Company be dissolved, that its affairs be wound up, and that its assets be distributed as hereinafter provided, and a Certificate of Dissolution having been issued by the Secretary of State of the State of New York on December 6, 1944, and a Certificate of Termination having been filed in the office of the County Clerk of New York County on April 21, 1949, and published in accordance with the provisions of section 105 of the New York Stock Corporation Law;

Hereby orders, that the surviving officers and directors of the Company (to wit: Stanley B. Reid, President and Director, and Lewis M. Reed, Secretary and Director, or their successors or any of them) wind up the affairs of the Company and distribute the assets thereof coming into their possession as follows:

(a) They shall first pay all current expenses and reasonable and necessary charges, if any, of winding up the affairs of the Company, and

(b) They shall then pay all known federal, state and local taxes, or fees, owed by or accrued against the Company; and

(c) They shall then pay over and deliver to each stockholder, as a liquidating distribution of assets, a share of the remaining cash of the Company proportionate to such a stockholder's stock interest: *Provided, however,* That if the surviving officers and directors of the Company, after reasonable efforts to do so, are unable to locate or otherwise are unable to effect distribution to any such stockholder as directed herein, without incurring expense which in their judgment is disproportionate to the amount of the payment accruing to such stockholder hereunder, they shall pay over such stockholder's portion to the Attorney General in the same manner and with the same effect as though the payment were a part of the liquidating distribution of assets directed herein to be made to the Attorney General as stockholder; and

(d) They shall then transfer, assign, convey, and deliver to the Attorney General all remaining assets or property of the Company of whatever kind or nature (including any after-discovered assets or property and all claims or causes of action of whatever kind or nature, including, without limitation, the two claims identified in paragraph 1 hereof). The Attorney General, if and when such assets or property are liquidated, will distribute the net proceeds thereof in the manner prescribed by paragraphs (a), (b), and (c) hereof, after first deducting from the share distributable to each stockholder reimbursement for reasonable and necessary charges or expenses, if any, involved in making distribution thereof to such stockholder; and if such charge or expense (or anticipated charge or expense) of distribution to a particular stockholder equals or exceeds the amount distributable to such stockholder, no distribution will be made to such stockholder; and

Further orders, that nothing herein set forth shall be construed as prejudicing the rights under the Trading With the Enemy Act, as amended, of any person who may have a claim against the Company to file such claim with the Attorney General against any assets or property received by the Attorney General hereunder: *Provided, however,* That nothing herein contained shall be construed as creating additional rights in such person: *Provided further,* That any such claim against said Company shall be filed with or presented to the Attorney General within the time and in the form and manner prescribed for such claims by the Trading With the Enemy Act, as amended, and applicable regulations and orders issued pursuant thereto; and

Further orders, that all actions taken and acts done by the officers and directors of the Company pursuant to this Order and the directions contained herein shall be deemed to have been taken and done in reliance on and pursuant to section 5(b)(2) of the Trading With the Enemy Act, as amended (50 U.S.C. App. 5), and the acquittance and exculpation provided therein.

Executed at Washington, D.C. on January 26, 1959.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F.R Doc. 59-844; Filed, Jan. 30, 1959; 8:47 a.m.]

CUMULATIVE CODIFICATION GUIDE—JANUARY

A numerical list of the parts of the Code of Federal Regulations affected by documents published during January. Proposed rules, as opposed to final actions, are identified as such.